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TITLE 3—THE PRESIDENT

PROCLAMATION 2955

IMPOSING AN IMPORT FEE ON SHELLED AND PREPARED ALMONDS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS pursuant to section 22 of the Agricultural Adjustment Act, as added by section 31 of the act of August 24, 1935, 49 Stat. 773, reenacted by section 1 of the act of June 3, 1937, 50 Stat. 246, and amended by section 3 of the act of July 3, 1948, 62 Stat. 1248, and section 3 of the act of June 28, 1950, 64 Stat. 261 (7 U. S. C. 624), I caused the United States Tariff Commission to make an investigation to determine whether almonds, filberts, walnuts, Brazil nuts, or cashew nuts are being, or are practically certain to be, imported into the United States under such conditions and in such quantities as to render or tend to render ineffective, or materially interfere with, certain programs or operations undertaken by the Department of Agriculture with respect to almonds, pecans, filberts, or walnuts, or to reduce substantially the amount of any product processed in the United States from almonds, pecans, filberts, or walnuts with respect to which any such program or operation is being undertaken; and

WHEREAS the Commission has made such investigation in accordance with the provisions of the said section 22 and has reported to me its findings and recommendations made in connection therewith; and

WHEREAS, on the basis of such investigation and report of the Commission, I find that shelled almonds and blanched, roasted, or otherwise prepared or preserved almonds (not including almond paste) are practically certain to be imported into the United States during the period from October 1, 1951, to September 30, 1952, both dates inclusive, under such conditions and in such quantities as to render or tend to render ineffective, or materially interfere with, a program undertaken by the Department of Agriculture with respect to almonds pursuant to the Agricultural Marketing Agreement Act of 1937, as amended; and

WHEREAS I find and declare that the imposition of a fee as hereinafter specified is shown by such investigation of the Commission to be necessary in order that the entry of imported shelled almonds and of blanched, roasted, or otherwise prepared or preserved almonds (not including almond paste) will not render or tend to render ineffective or materially interfere with the said program undertaken by the Department of Agriculture with respect to almonds:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, acting under and by virtue of the authority vested in me by the said section 22 of the Agricultural Adjustment Act, as amended, do hereby impose and proclaim a fee of 10 cents per pound but not more than 50 per centum *ad valorem* on any shelled almonds and on any blanched, roasted, or otherwise prepared or preserved almonds (not including almond paste) entered, or withdrawn from warehouse, for consumption during the period from October 1, 1951, to September 30, 1952, both dates inclusive, in excess of an aggregate quantity of 4,500,000 pounds: *Provided*, that any blanched, roasted, or otherwise prepared or preserved almonds (not including almond paste) entered, or withdrawn from warehouse, for consumption during such period in excess of an aggregate quantity of 500,000 pounds shall not be included in the aforesaid aggregate quantity of 4,500,000 pounds, but shall be subject to the fee of 10 cents per pound but not more than 50 per centum *ad valoreum: And provided further*, that no fee shall be assessed or collected by virtue of this proclamation on any article entered, or withdrawn from warehouse, for consumption prior to the close of business on the date of this proclamation.

The fee imposed by this proclamation shall be in addition to any other duty imposed on the importation of the articles subject to such fee.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

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DONE at the City of Washington this Tenth day of December in the year of our Lord nineteen hundred and [SEAL] fifty-one, and of the Independence of the United States of America the one hundred and seventy-sixth.

HARRY S. TRUMAN

By the President:

JAMES E. WEBB,
Acting Secretary of State.

[F. R. Doc. 51-14756; Filed, Dec. 10, 1951; 5:14 p. m.]

RULES AND REGULATIONS

TITLE 6—AGRICULTURAL CREDIT

Chapter III—Farmers Home Administration, Department of Agriculture

Subchapter B—Farm Ownership Loans

PART 311—BASIC REGULATIONS

SUBPART A—GENERAL

REDEMPTION OF NONDELINQUENT INSURED MORTGAGES

Paragraph (e) of § 311.5, Title 6, Code of Federal Regulations (13 F. R. 9380) is amended to reduce from seven (7) to five (5) years the redemption period for nondelinquent insured mortgages for which commitments to insure are executed on or after January 1, 1952, so that said paragraph as amended will read as follows:

§ 311.5 *Terms of loans.* * * *

(e) *Sale of nondelinquent insured mortgages to the Government.* Any holder of an insured mortgage for which the Government's commitment to insure was executed on or after January 1, 1952, may, at his option, within a period of one year beginning after the expiration of five (5) years from the date of the mortgage, have the mortgage purchased by the Government even though the mortgage is not then in default. If the holder exercises such option, the Government will purchase the mortgage and pay the holder in cash an amount equal to the value of the mortgage. For such purpose, the value of the mortgage will be determined by adding to the then outstanding unpaid principal, the amount of any unpaid interest and the unpaid amount of any advances made by a holder for property insurance premiums, taxes, assessments, water charges, and other payments in discharge of liens which are prior to the mortgage. If the holder of the mortgage does not exercise the above-mentioned option, he may accept any new agreement which may be offered by the Government to purchase the mortgage, or the holder may retain the mortgage until it is paid in full, refinanced, or assigned to another lender.

(Sec. 41 (i), 60 Stat. 1066, 7 U. S. C. 1015 (i). Interprets or applies sec. 5, 62 Stat. 535, sec. 13 (a), 60 Stat. 1077, 7 U. S. C. 1005b (j), 1005c (a))

DERIVATION: § 311.5 contained in FHA Instruction 401.1.

[SEAL] DILLARD B. LASSETER,
Administrator,
Farmers Home Administration.

NOVEMBER 26, 1951.

Approved: December 5, 1951.

K. T. HUTCHINSON,
Acting Secretary of Agriculture.

[F. R. Doc. 51-14620; Filed, Dec. 10, 1951; 8:49 a. m.]

TITLE 7—AGRICULTURE

Chapter VII—Production and Marketing Administration (Agricultural Adjustment), Department of Agriculture

PART 704—AGRICULTURAL CONSERVATION PROGRAM; ALASKA

SUBPART—1952

The United States Department of Agriculture offers every farmer in the Territory of Alaska an opportunity to improve and conserve the fertility of his land through participation in the 1952 Agricultural Conservation Program.

Payment will be made for the performance of approved conservation practices to the extent of the individual practice allowances and available funds. Developed under the provisions of the Soil Conservation and Domestic Allotment Act, the program is designed to meet local conservation needs insofar as practicable.

Assistance will be given to farmers carrying out conservation practices under the 1952 program in accordance with the provisions contained herein and such modifications as may hereafter be made.

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AUTHORITY: §§ 704.101 to 704.173 issued under sec. 4, 49 Stat. 164; 16 U. S. C. 590d. Interpret or apply secs. 7–17, 49 Stat. 1148, as amended; 16 U. S. C. 590g–590q.

CONTROL OF FUNDS

§ 704.101 *Maximum farm payment.* The State Office will determine the amount of assistance for each farm, taking into consideration the funds allocated, the conservation needs of other farms in the area, and conservation needs on the farm for which assistance is requested. An allowance will be established for each practice approved for a farm and the maximum payment for the farm will be the sum of the individual practice allowances. The total of the maximum payments for all farms shall not exceed available funds.

§ 704.102 *Adjustments.* If the total obligations under the program exceed the total funds available for payments, payments will be reduced equitably, except that payment will be made in full for land clearing services furnished by the ACP Branch under a purchase order for carrying out the practice contained in § 704.121.

§ 704.103 *Allocation.* The amount of funds available for conservation practices under this program is $27,000. This amount does not include the amount set aside for administrative expenses and the amount required for size-of-payment adjustments.

SELECTION AND APPROVAL OF CONSERVATION PRACTICES

§ 704.106 *Selection of practices.* Practices included in the 1952 program are only those which by maintaining or increasing soil fertility, controlling and preventing soil erosion caused by wind or water, encouraging conservation and better agricultural use of water, or conserving and increasing range and pasture forage, contribute to increased or sustained production of needed agricultural commodities. The practices included are those which will not be carried out in desired volume on the basis of relative conservation needs unless payments are made therefor.

§ 704.107 *Adaptation of practices and rates of assistance.* In order to encourage the performance of practices which are needed most, the State Office may designate from the practices listed herein those practices which will be applicable on designated groups of farms, and may approve rates of assistance lower than the rates of assistance set out in this subpart. For recurring practices, the State Office may, on the basis of the experience of the producer in performing the practices, approve rates of assistance for individual farms lower than the rates of assistance set out in this subpart.

§ 704.108 *State Office approval.* Payment will be made only for those practices included in § 704.111 to § 704.121 for which written approval is granted by the State Office. Written approval will be given only where the farmer requests assistance before he begins the conservation practice. Requests for assistance may be made by contacting a representative of the State Office or by writing to the State Office. The farmer will be notified in writing of the number of units of each practice approved, the date by which performance of the practice is to be reported, and the amount of funds set aside for the practice. It is the responsibility of the farmer to report performance of each practice on or before the closing date shown on the notice of approval.

CONSERVATION PRACTICES AND MAXIMUM RATES OF ASSISTANCE

§ 704.110 *Conservation practices and maximum rates of assistance.* (a) Payment will be made at the rates specified and within the limitations set forth in this subpart for carrying out during the period from September 1, 1951, to December 31, 1952, inclusive, the conservation practices included in § 704.111 to § 704.121 which are approved for a farm. However, no payment may be made under the 1952 program which will result in an additional payment for practices completed under the provisions of the 1951 program. Payment will be in the form of cash payments, as reimbursement for a part of the cost of performing the practices, or as services furnished for carrying out the land clearing practice.

(b) Of the permanent-type conservation practices authorized under this program, the Soil Conservation Service is responsible for the technical phases of the permanent-type practices contained in §§ 704.117 and 704.118 (2). In addition, the Soil Conservation Service is responsible for the technical phases of the practices contained in §§ 704.115 and 704.116, if guidelines must be established under the 1952 program. This responsibility shall include (1) a finding that the practice is needed and practical on the farm, (2) necessary site selection, other preliminary work, and lay-out work of the practice, (3) necessary supervision of the installation, and (4) certification of performance (or application of the practice to the land). Also, in areas where the State Office, the designated representative of the Soil Conservation Service in the area, and the Forest Service representative having jurisdiction of farm forestry in the area, determine that there is need for making a prior determination that land to be cleared under § 704.121 is suitable for clearing for tillage, the Soil Conservation Service technician shall have the responsibility for such determination of suitability. The practices listed in this paragraph are not considered to be the only permanent-type practices in the program. However, it is hereby determined that they are the only practices in the 1952 program for which the Soil Conservation Service has been delegated responsibility for the technical phases under Secretary's Memorandum 1278.

§ 704.111 *Practice 1: Applying fertilizer.* Payment will be made only for the application of phosphate (P_2O_5) and potash (K_2O) to pastures excluding small grains; to grass or legume cover crops excluding small grains seeded alone; or to leguminous crops (with or without a nurse crop) excluding vegetable or truck crops for sale. Application must be made at a time so that the eligible crop will receive the principal benefit of the material. Receipts or invoices showing the purchase and the analysis of the fertilizer bought, properly dated and signed by the vendor, should be retained for presentation to the farm inspector at the time of inspection. Application of these fertilizers must be made in the proper relationship with nitrogen in order to receive payment. The correct amount is to be decided in each district by the district agricultural agent and the ACP committee.

Maximum assistance. (1) 7 cents per pound of available P_2O_5 applied.

(2) 6 cents per pound of available K_2O applied.

§ 704.112 *Practice 2: Field peas with oats for winter cover.* Payment will be made for using field peas with oats in rotation with other crops. To qualify for assistance, a good stand and a good growth of field peas must be obtained and left on the land as a cover crop for winter protection. The minimum rate

of seeding is 42 pounds of field peas and 32 pounds of oats per acre. Acreages harvested for grain or hay are not eligible for assistance.

Maximum assistance. $3 per acre.

§ 704.113 *Practice 3: Field peas with oats for green manure.* Payment will be made for plowing under a good stand of field peas with oats which have been brought to the proper stage of maturity, which will be considered to be the blossoming period. The minimum rate of seeding is 42 pounds of field peas and 32 pounds of oats per acre. Acreages harvested for grain or hay are not eligible for assistance.

Maximum assistance. $5 per acre.

§ 704.114 *Practice 4: Sweetclover for green manure.* Payment will be made for plowing under during the 1952 program year a good stand and a good growth of sweetclover seeded in the spring of 1952 at a rate of not less than 10 pounds of seed per acre. Pasturing consistent with good management is permitted.

Maximum assistance. $3 per acre.

§ 704.115 *Practice 5: Contour farming intertilled crops.* Payment will be made for farming intertilled crops on the contour. The crop stubble or crop residue must be left standing over winter, or a winter cover crop established, or protective tillage operations carried out. Permanent guide lines must be established on true contour. If this practice is used on fields that have, or are in the future to have, diversion ditches, the guide lines should be staked on the same grade as the ditches. Applicable on Classes II, III, and IV sloping land.

Maximum assistance. (1) $1.50 per acre where all cultural operations are on the contour.

(2) $1 per acre where only the planting and cultivating are on the contour.

§ 704.116 *Practice 6: Contour farming drilled or close-sown crops.* Payment will be made for contour farming drilled or close-sown grasses, legumes, or small grains. Permanent guide lines must be established on true contour. If this practice is used on fields that have, or are in the future to have, diversion ditches, the guide lines should be staked on the same grade as the ditches. Applicable on Classes II, III, and IV sloping land.

Maximum assistance. (1) 75 cents per acre where all cultural operations are on the contour.

(2) 50 cents per acre where only the seeding operation is on the contour.

§ 704.117 *Practice 7: Diversion ditches to divert excess water.* These terraces or ditches are for the purpose of removing excess water from snow melting in the spring. They should be constructed on a grade ranging from 0 at the upper end to not in excess of 1 percent at the lower end. Grades should be either uniform or gradually increasing from the upper end. In all cases the grades, size, and spacing of ditches must be staked by a qualified technician. Diversion terraces or ditches must be provided with an outlet channel.

Maximum assistance. (1) 12 cents per cubic yard of material moved, when constructed on land where the topography, stoniness, or size of field requires that the ditching be constructed entirely by hand labor.

(2) 6 cents per cubic yard of material moved, when constructed on other land.

§ 704.118 *Practice 8: Establishing permanent sod waterways to dispose of excess water without causing erosion.* This practice is essential to adequate water disposal. The waterway may be either an excavated ditch or a natural drainage way. In either case, more than natural runoff is carried in the outlet channel; therefore, protection is needed to avoid channel erosion and the formation of gullies. They must be planted long enough in advance to develop a protective cover in the channel. This will take one to two years before water is diverted into them. In all cases the outlet channels will be selected by a qualified technician. New channels must be staked, constructed according to lines and grades and sod established. Seedings in establishing permanent sod waterways shall be at a rate of at least 15 pounds per acre and shall contain not less than 50 percent of adapted sod forming perennial grasses with the balance in other grasses or adapted legumes. The stand must be established before assistance can be offered.

Maximum assistance. (1) 75 cents per 1,000 square feet for seeding or sodding.

(2) 12 cents per cubic yard of earth moved with dirt-moving equipment in shaping and filling.

§ 704.119 *Practice 9: Establishing a permanent cover on steep slopes.* Payment will be made for establishing on steep slopes, a permanent cover of adapted perennial grasses or a mixture of perennial grasses and perennial or biennial legumes. The seed of these crops must be well distributed over the area sown to insure a good stand at maturity. The minimum seeding rate shall not be less than 12 pounds of seed per acre.

Maximum assistance. $4 per acre.

§ 704.120 *Practice 10: Establishing or improving permanent pasture.* Payment will be made for establishing or improving permanent pasture by seeding adapted varieties of perennial grasses or legumes. The seed must be adapted to local conditions, and must be properly distributed over the area sown, a sufficient amount being used to insure a good stand at maturity.

Maximum assistance:	*Cents per pound*
(1) Smooth bromegrass	50
(2) Kentucky bluegrass	25
(3) Meadow fescue	25
(4) Slender wheatgrass	25
(5) Timothy	12½
(6) Alsike clover	37½
(7) Russian red clover	50
(8) Siberian alfalfa	50
(9) Redtop	25
(10) Yellow blossom sweetclover	25

§ 704.121 *Practice 11: Clearing woodland for tillage.* (a) The conservation value of this practice is in getting sufficient cleared land on the farm so that good land management practices can be carried out on all parts of the farm.

(b) Clearing areas which will result in increased erosion will not qualify for payment.

(c) Methods of clearing which result in destruction of needed organic material are considered to be disqualifying practices. Removal of mineral soil will be considered evidence of excessive removal of organic material. Needed conservation practices must be applied to land cleared under previous programs in order to qualify an applicant to additional land clearing payments under this program.

(d) Payment will not be approved for clearing more than 5 acres on any farm during the 1952 program year and approval will not be given for clearing in excess of 30 acres on any farm under all programs. Payment will not be made for clearing land for 5-acre home sites or on farms not having sufficient acreage for economic farm units as determined by the State office. Where clearing is partially completed with stumps, timber, or debris left in windrows or piles, payment will be made only for that acreage cleared which is ready for tillage.

Maximum assistance. $40 per acre.

PAYMENTS

§ 704.131 *Division of payments.* (a) The payment earned in carrying out practices with conservation services shall be credited to the producer to whom the services are furnished. Payment for practices performed with conservation services shall have priority over payment for other practices. The payment earned in carrying out other practices shall be paid to the producer who carried out the practices. If more than one producer contributed to the carrying out of such practices, the payment shall be divided in the proportion that the State Office determines the producers contributed to the carrying out of the practices. In making this determination, the State Office shall take into consideration the value of the labor, equipment, or material contributed by each producer toward the carrying out of each practice on a particular acreage, assuming that each contributed equally, unless it is established to the satisfaction of the State Office that their contributions thereto were not in equal proportion. The furnishing of land will not be considered as a contribution to the carrying out of any practice.

(b) In case of death, incompetency, or disappearance of any producer, his share of the payment shall be paid to his successor, determined in accordance with the provisions of Part 716 of this chapter (ACP–122).

§ 704.132 *Increase in small payments.* The payment computed for any person with respect to any farm shall be increased as follows:

(a) Any payment amounting to $0.71 or less shall be increased to $1.

(b) Any payment amounting to more than $0.71 but less than $1 shall be increased by 40 percent.

(c) Any payment amounting to $1 or more shall be increased in accordance with the following schedule:

Amount of payment computed	Increase in payment	Amount of payment computed	Increase in payment
$1 to $1.99	$0.40	$32 to $32.99	$10.40
$2 to $2.99	.80	$33 to $33.99	10.60
$3 to $3.99	1.20	$34 to $34.99	10.80
$4 to $4.99	1.60	$35 to $35.99	11.00
$5 to $5.99	2.00	$36 to $36.99	11.20
$6 to $6.99	2.40	$37 to $37.99	11.40
$7 to $7.99	2.80	$38 to $38.99	11.60
$8 to $8.99	3.20	$39 to $39.99	11.80
$9 to $9.99	3.60	$40 to $40.99	12.00
$10 to $10.99	4.00	$41 to $41.99	12.10
$11 to $11.99	4.40	$42 to $42.99	12.20
$12 to $12.99	4.80	$43 to $43.99	12.30
$13 to $13.99	5.20	$44 to $44.99	12.40
$14 to $14.99	5.60	$45 to $45.99	12.50
$15 to $15.99	6.00	$46 to $46.99	12.60
$16 to $16.99	6.40	$47 to $47.99	12.70
$17 to $17.99	6.80	$48 to $48.99	12.80
$18 to $18.99	7.20	$49 to $49.99	12.90
$19 to $19.99	7.60	$50 to $50.99	13.00
$20 to $20.99	8.00	$51 to $51.99	13.10
$21 to $21.99	8.20	$52 to $52.99	13.20
$22 to $22.99	8.40	$53 to $53.99	13.30
$23 to $23.99	8.60	$54 to $54.99	13.40
$24 to $24.99	8.80	$55 to $55.99	13.50
$25 to $25.99	9.00	$56 to $56.99	13.60
$26 to $26.99	9.20	$57 to $57.99	13.70
$27 to $27.99	9.40	$58 to $58.99	13.80
$28 to $28.99	9.60	$59 to $59.99	13.90
$29 to $29.99	9.80	$60 to $185.99	14.00
$30 to $30.99	10.00	$186 to $199.99	(1)
$31 to $31.99	10.20	$200 and over	(2)

[1] Increase to $200.
[2] No increase.

§ 704.133 *Payments limited to $2,500.* The total of all payments made in connection with the 1952 program to any person with respect to farms, ranching units, and turpentine places in the United States (including Alaska, Hawaii, Puerto Rico, and the Virgin Islands) shall not exceed the sum of $2,500. All or any part of any payment which has been or otherwise would be made to any person under the 1952 program may be withheld, or required to be refunded, if he has adopted, or participated in adopting, any scheme or device including the dissolution, reorganization, revival, formation, or use of any corporation, partnership, estate, trust or any other means, designed to evade, or which has the effect of evading, the provisions of this subsection.

CONSERVATION SERVICES

§ 704.136 *Availability.* To assist farmers in obtaining a larger volume of needed land clearing, land clearing services may be furnished by the ACP Branch to farmers for carrying out practice 11, "Clearing woodland for tillage" as contained in § 704.121. Services may not be furnished to farmers who are on the register of indebtedness, except in those cases where the agency to which the debt is owed notifies the ACP Branch that it temporarily waives its rights to set-off in order to permit the furnishing of the service.

§ 704.137 *Cost to producer in cash.* The producer shall pay that part of the cost of land clearing, as established by the ACP Branch, which is in excess of the credit for the service in carrying out the practice.

§ 704.138 *Deduction.* A deduction shall be made for the service furnished by the ACP Branch from the payment of the producer to whom the service is furnished. The deduction shall be the credit value of the conservation service furnished, except that where the cost to the ACP Branch is less than the credit rate, the deduction shall be equal to the cost. If a land clearing service is furnished and the farmer uses the land for purposes other than those authorized in § 704.121 for practice 11, Clearing woodland for tillage, during the 1952 program year, an additional deduction equal to the original amount of the deduction for the service so misused shall be made. If the deduction for the service exceeds the payment for the farmer to whom the service is furnished, the amount of the difference shall be paid by the farmer to the Treasurer of the United States.

GENERAL PROVISIONS RELATING TO PAYMENT

§ 704.141 *Failure to maintain practices under previous programs.* If the State Office determines that any conservation practice carried out under previous agricultural conservation programs is not maintained in accordance with good farming practices, or the effectiveness of any such practice is destroyed during the 1952 program year, a deduction shall be made for the extent of the practice destroyed or not maintained. The deduction rate shall be the 1952 practice rate, or if the practice is not offered in 1952, the practice rate in effect during the year the practice was performed. The deduction shall be made from the payment of the person responsible for destroying or not maintaining the practice after the payment has been increased in accordance with the provisions of § 704.132.

§ 704.142 *Practices defeating purposes of programs.* If the State Office finds that any producer has adopted, or participated in adopting, any practice which tends to defeat the purposes of the 1952 or previous agricultural conservation programs, it may withhold, or require to be refunded, all or any part of any payment which has been or would be computed for such person.

§ 704.143 *Depriving others of payment.* If the State Office finds that any person has employed any scheme or device (including coercion, fraud, or misrepresentation), the effect of which would be or has been to deprive any other person of any payment under the program, it may withhold, in whole or in part, from the person participating in or employing such a scheme or device, or require him to refund in whole or in part, the amount of any payment which has been or would otherwise be made to him in connection with the 1952 program.

§ 704.144 *Filing of false claims.* If the State Office finds that any producer has knowingly filed claim for payment under the program for practices not carried out, or for practices carried out in such a manner that they do not meet the required specifications therefor, such person shall not be eligible to receive any payment under the program and shall refund all payments that may have been made to him under the program. The withholding or refunding of payments will be in addition to and not in substitution of any other penalty or liability which might otherwise be imposed.

§ 704.145 *Misuse of purchase orders.* If the State Office finds that any producer has knowingly used a purchase order issued to him for conservation services for a purpose other than that for which it was issued, and that such misuse of the purchase order tends to defeat the purpose for which it was issued, such producer shall not be eligible to receive any payment under the program and shall refund all payments that may have been made to him under the program. The withholding or refunding of payments will be in addition to and not in substitution of any other penalty or liability which might otherwise be imposed.

§ 704.146 *Payment computed and made without regard to claims.* Any payment or share of payment shall be computed and made without regard to questions of title under State laws; without deduction of claims for advances (except as provided in § 704.147 and except for indebtedness to the United States subject to set-off under orders issued by the Secretary (Part 718 of this chapter)); and without regard to any claim or lien against any crop, or proceeds thereof, in favor of the owner or any other creditor.

§ 704.147 *Assignments.* Any person who may be entitled to any payment in connection with the 1952 program may assign his payment, in whole or in part, as security for cash loaned or advances made for the purpose of financing the making of a crop in 1952. No assignment will be recognized, unless it is made in writing on Form ACP–69 and in accordance with the instructions in ACP–70–Insular Region.

§ 704.148 *Practices carried out with State or Federal aid.* The assistance for any practice shall not be reduced because it is carried out with services furnished by the ACP Branch or by any agency of a State to another agency of the same State, or with technical advisory services furnished by a State or Federal agency. In other cases of State or Federal aid, the total assistance for any practice performed shall be reduced for purposes of payment by the value of the aid, as determined by the State Office. Services furnished or used by a State or Federal agency for the performance of practices on its land shall not be regarded as State or Federal aid for the purposes of this subsection.

§ 704.149 *Compliance with regulatory measures.* Producers who carry out conservation practices for assistance under the 1952 program shall be responsible for obtaining the authorities, rights, easements, or other approvals necessary to the performance and maintenance of the practices in keeping with applicable laws and regulations. The producer who receives assistance for the practice shall be responsible to the Federal Government for any losses it may sustain because the producer infringes on the rights of others or fails to comply with applicable laws.

APPLICATION FOR PAYMENT

§ 704.151 *Persons eligible to file applications.* An application for payment with respect to a farm may be made by

any producer who is entitled to share in the payment determined for the farm, except where his only payment is earned with conservation services furnished by the ACP Branch in an amount that no small payment increase is due.

§ 704.152 *Time and manner of filing applications and information required.* Payment will be made only upon application submitted on the prescribed form which should be filed in the State Office or with a representative of the State Office on or before March 31, 1953. Payment may be withheld from any person who fails to file any form or furnish any information required with respect to any farm which such person is operating or renting to another. Any application for payment may be rejected if any form or information required of the applicant is not submitted to the State Office within the time fixed by the Director of the ACP Branch, except that any time limit established may be extended, but not later than December 31, 1953, by the State Office if failure to timely submit the form or information requested was due to conditions over which the farmer had no control. At least two weeks' notice to the public shall be given of the expiration of the time limit for filing prescribed forms or required information, and any time limit fixed shall afford a full and fair opportunity to those eligible to file the form or information within the period prescribed.

APPEALS

§ 704.156 *Appeals.* Any producer may, within 15 days after notice thereof is forwarded to or made available to him, request the State Office in writing to reconsider its recommendation or determination in any matter affecting the right to or the amount of his payment with respect to the farm. The State Office shall notify him of its decision in writing within 15 days after receipt of written request for reconsideration. If the producer is dissatisfied with the decision of the State Office, he may, within 15 days after its decision is forwarded to or made available to him, request the Director, ACP Branch, to review the decision of the State Office. Written notice of any decision rendered under this section by the State Office shall also be issued to each other producer on the farm who may be adversely affected by the decision.

BULLETINS, INSTRUCTIONS, AND FORMS

§ 704.161 *Bulletins, instructions, and forms.* The ACP Branch is authorized to make determinations and to prepare and issue bulletins, instructions, and forms containing detailed information with respect to the 1952 program as it applies to Alaska, and forms will be available in the State Office. Producers wishing to participate in the program should obtain all information needed from the State Office.

DEFINITIONS

§ 704.166 *Definitions.* For the purposes of the 1951 program:

(a) "Secretary" means the Secretary of Agriculture of the United States.

(b) "Director" means the Director of the Agricultural Conservation Programs Branch, Production and Marketing Administration.

(c) "ACP Branch" means the Agricultural Conservation Programs Branch of the Production and Marketing Administration.

(d) "State" means Alaska.

(e) "State Office" means the office of the Director of Extension, University of Alaska, College, Alaska.

(f) "Person" means an individual, partnership, association, corporation, estate, or trust, or other business enterprise or other legal entity, and, wherever applicable, a State, Territory, or Possession, or a political subdivision or agency thereof.

(g) "Producer" means any person who, as landlord, tenant, or sharecropper, participates in the operation of a farm.

(h) "Farm" means all adjacent or nearby farm or range land under the same ownership which is operated by one person, including also: (1) Any other adjacent or nearby farm or range land which the State Office, in accordance with instructions issued by the ACP Branch, determines is operated by the same person as part of the same unit in producing range livestock or with respect to the rotation of crops, and with work stock, farm machinery, and labor substantially separate from that for any other land; and (2) any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm, constitutes a unit with respect to the rotation of crops.

(i) "Cropland" means farm land which in 1951 was tilled or was in regular crop rotation, excluding (1) bearing orchards and vineyards (except the acreage of cropland therein), (2) plowable noncrop open pasture, and (3) any land which constitutes or will constitute, if tillage is continued, a wind-erosion hazard to the community.

(j) "Pasture Land" means farm land, other than range land, on which the predominant growth is forage suitable for grazing and on which the spacing of any trees or shrubs is such that the land could not fairly be considered as woodland.

(k) "Range Land" means any land which produces or can produce forage suitable for grazing by range livestock without cultivation or general irrigation.

AUTHORITY, AVAILABILITY OF FUNDS, AND APPLICABILITY

§ 704.171 *Authority.* The program is approved pursuant to the authority vested in the Secretary of Agriculture under sections 7–17 of the Soil Conservation and Domestic Allotment Act, as amended (49 Stat. 1148, 16 U. S. C. 590g–590q).

§ 704.172 *Availability of funds.* (a) The provisions of the 1952 program are necessarily subject to such legislation as the Congress of the United States may hereafter enact; the making of the payments herein provided is contingent upon such appropriation as the Congress may hereafter provide for such purpose; and the amounts of such payments will necessarily be within the limits finally determined by such appropriation.

(b) The funds provided for the 1952 program will not be available for the payment of applications filed after December 31, 1953.

§ 704.173 *Applicability.* (a) The provisions of the 1952 program contained herein are not applicable to (1) any department or bureau of the United States Government or any corporation wholly owned by the United States; (2) grazing lands owned by the United States which were acquired or reserved for conservation purposes, or which are to be retained permanently under Government ownership, including, but not limited to, grazing lands administered by the Forest Service or the Soil Conservation Service of the United States Department of Agriculture, or by the Bureau of Land Management (including lands administered under the Taylor Grazing Act) or the Fish and Wildlife Service of the United States Department of the Interior; and (3) nonprivate persons for performance on any land owned by the United States or a corporation wholly owned by it.

(b) The program is applicable to (1) privately owned lands; (2) lands owned by Alaska or a political subdivision or agency thereof; (3) lands owned by corporations which are partly owned by the United States, such as Federal land banks and production credit associations; (4) lands temporarily owned by the United States or a corporation wholly owned by it, which were not acquired or reserved for conservation purposes, including lands administered by the Farmers Home Administration, the Reconstruction Finance Corporation, the Federal Farm Mortgage Corporation, the departments comprising the National Military Establishment, or by any other Government agency designated by the ACP Branch; and (5) any cropland farmed by private persons which is owned by the United States or a corporation wholly owned by it.

Done at Washington, D. C., this 6th day of December 1951.

[SEAL] K. T. HUTCHINSON,
Acting Secretary of Agriculture.

[F. R. Doc. 51-14656; Filed, Dec. 10, 1951; 8:53 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 15 to Rev. of May 10, 1949]

PART 550—FEDERAL AID TO PUBLIC AGENCIES FOR DEVELOPMENT OF PUBLIC AIRPORTS

PROJECT COSTS

Acting pursuant to the authority vested in me by the Federal Airport Act, I hereby amend Part 550 of the regulations of the Civil Aeronautics Administration as follows:

1. Section 550.4 (c) (1) is hereby amended to read as follows:

§ 550.4 *Project costs.* * * *

(c) *United States share of project costs.* * * *

(1) *Project costs other than costs of installation of high intensity lighting on runways designated instrument landing runways.* The United States share of the project costs (other than costs of installation of high intensity lighting on runways designated instrument landing runways) of an approved project for the development of an airport, regardless of the size or location of the airport to be developed, shall be 50 percent of the allowable project costs of the project (other than costs of installation of high intensity lighting on runways designated instrument landing runways), except that this share, in the case of any State containing unappropriated and unreserved public lands and nontaxable Indian lands (individual and tribal) exceeding 5 percent of the total area of all lands therein shall be increased as provided in section 10 (b) of the act and except that the United States share shall be 75 percent in the case of the Territory of Alaska and the Virgin Islands, all as set forth in the following table:

UNITED STATES' PERCENTAGE SHARE OF ALLOWABLE PROJECT COSTS IN STATES CONTAINING UNAPPROPRIATED AND UNRESERVED PUBLIC LANDS AND NONTAXABLE INDIAN LANDS

Arizona	61.17	Oklahoma	51.36
California	54.17	Oregon	56.06
Colorado	53.29	South Dakota	53.07
Idaho	56.29	Utah	62.50
Montana	53.49	Washington	51.77
Nevada	62.50	Wyoming	57.31
New Mexico	57.00		

NOTE: The percentages listed in this table will vary as changes occur with respect to the area of unappropriated and unreserved public lands and nontaxable Indian lands in the several States, in which event such changed percentages will be used by the Administrator in determining the United States share of allowable project costs other than costs of installing high intensity runway lighting on runways designated as instrument landing runways.

(Secs. 1–15, 60 Stat. 170–178, as amended; 49 U. S. C. and Sup. 1101–1114)

This amendment shall become effective upon publication in the FEDERAL REGISTER.

F. B. LEE,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 51-14618; Filed, Dec. 10, 1951; 8:48 a. m.]

[Amdt. 5]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

ALTERATIONS

The standard instrument approach procedure alterations appearing hereinafter are adopted when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required. Part 609 is amended as follows:

1. The very high frequency omnirange procedures prescribed in § 609.15 are amended to read in part:

VHF OMNIRANGE (VOR) PROCEDURES

Station; frequency; identification; class	Initial approach to VOR station: From—	Magnetic course degs.	Distance (mi.)	Minimum altitude (ft.)	Final approach course degs.; inbound; outbound	Procedure turn minimum altitude	Minimum altitude over VOR station on final approach (ft.)	Distance from VOR station to approach end of runway (mi.)	Field elevation (ft.)	Minimums	Ceiling (ft.)	Visibility (mi.)	If visual contact not established at authorized landing minimums, or if landing not accomplished; remarks
BURLINGTON, IOWA Burlington Airport 117.9 mc; BRL; BVOR	Burlington LF Range	93	11	1,900	289 109	1,900'—N side crs	1,400	10.5	698	R A T	700 800 300	2.0 2.0 1.0	Climb to 2,000' on crs. of 289° within 25 mi. of VOR.
	Kirksville VOR	57	96	2,000									
	Quincy VOR	11	63	2,600									
	Bradford VOR	242	76	2,000									
	Moline VOR	187	55	2,000									
CHARLESTON, S. C. Charleston Airport 113.5 mc; CHS; BVOR	Florence VOR	197	89	1,300	160 340	1,200'—W side crs	700	5.4	45	R (R) S* A T	500 500 500 800 300	1.5 1.0 1.0 2.0 1.0	Climb to 1,400' on crs. of 160° within 25 mi. *Runway 15.
	Myrtle Beach VAR	234	85	1,200									
	Savannah VOR	47	94	1,400									
	Augusta VOR	105	117	1,500									
	Columbia VOR	137	94	1,500									
	Charleston LF Range	10	5.2	1,200									
	(All other directions—MEA)												
CHILDRESS, TEX. Childress Airport 113.9 mc; CDS; BVOR-DTVJ	Hobart VOR	233	77	3,500	351 171	3,100'—E side crs	2,600	3.6	1,952	R (R) S* A T	500 500 500 1,000 (BCOB) 300	#1.5 #1.0 #1.0 #2.0 #1.0	Climb to 3,600' on crs. of 351° within 25 mi. of VOR. *Runway 35. #Night operations not authorized.
	Wichita Falls VOR	275	100	3,100									
	Lubbock VOR	53	103	4,500									
	Amarillo VOR	118	99	4,700									
	(All other directions—MEA)												

VHF OMNIRANGE (VOR) PROCEDURES—Continued

Station; frequency; identification; class	Initial approach to VOR station				Final approach course degs.; inbound; outbound	Procedure turn minimum altitude	Minimum altitude over VOR station on final approach (ft.)	Distance from VOR station to approach end of runway (mi.)	Field elevation (ft.)	Minimums			If visual contact not established at authorized landing minimums, or if landing not accomplished; remarks
	From—	Magnetic course degs.	Distance (mi.)	Minimum altitude (ft.)							Ceiling (ft.)	Visibility (mi.)	
CORPUS CHRISTI, TEX. Cliff Manus Field 115.5 mc; CRP; BVOR	Palacios VOR	220	93	1,200	169 349	1,300'—W side crs.	840	9.2	42	R A T	800 800 300	2.0 2.0 1.0	Climb to 1,400' on crs. of 213° within 25 mi. of VOR.
	Corpus Christi NAS Ra	323	21	1,400									
	Int. 170° bearing on Brownsville VOR	33	48	1,400									
	Alice LF Range	64	41	1,500									
	Kelly LF Range	135	126	2,000									
	Corpus Christi LF Range	360	6.7	1,400									
	(All other directions—MEA)												
DAYTONA BEACH, FLA. Daytona Beach Airport 113.3 mc; DAB; BVOR	Vero Beach VOR	337	109	1,300	63 243	1,300'—S side crs	800	5.5	34	R (R) S# A T	500 500 500 800 300	1.5 1.0 1.0 2.0 1.0	Climb to 1,400' on crs. of 63° within 15 mi. #Runway 6.
	Orlando LF Range	12	40	1,500									
	Cross City VOR	105	118	1,200									
	Jacksonville VOR	159	99	1,300									
	Daytona Beach LF Range	222	4.3	1,200									
	(All other directions—MEA)												
DES MOINES, IOWA Des Moines Airport 113.1 mc; DSM; BVOR	Des Moines LF Range	179	4	2,100	348 168	2100'—E side crs.** (within 15 mi.) 2,200'—within 25 mi.	**1,600	6.2	957	R (R) S* A T#	500 500 500 800 300	1.5 1.0 1.0 2.0 1.0	Immediately turn left and climb to 2500' on crs. of 320° outbound from VOR within 25 miles. *Runway 35. **If procedure turn is accomplished beyond 10 mi. altitude inbound to Martensdale FM is 1700'. #When TV tower not visible on N, NE, E and W take-offs, climb to 2,500' before turning toward tower. CAUTION: 1,549' msl TV tower located 3.2 mi. NNE of airport.
	Omaha VOR	74	109	2,500									
	Lamoni VOR	9	60	2,300									
	Martensdale FM (final)	9	6	1,600									
	Iowa City VOR	258	105	2,200									
	Ottumwa VOR	286	74	2,500									
	Kirksville VOR	321	111	2,500									
	Mason City VOR	180	115	2,500									
	(All other directions—MEA)												
EL DORADO, ARK. El Dorado-Goodwin Field 114.3 mc; ELD; BVOR-DTVJ	Little Rock VOR	192	102	1,500	210 30	1,400'—N side crs.	920	4.1	277	R (R) S* A T	500 500 500 #1,000 (BCOB) 300	1.5 1.0 1.0 2.0 1.0	Climb to 1,600' on crs. of 210° within 25 mi. of VOR. *Runway 22. #800-2 authorized when 2 alternates are specified in flight plan, one of which must be equipped with a radio range when the acft is equipped with only one VOR receiver. NOTE: Night operations not authorized.
	Shreveport LF Range	43	75	1,600									
	(All other directions—MEA).												
GAGE, OKLA. Gage Airport 115.7 mc; GAG; BVOR	Anthony VOR	228	110	3,500	104 284	3,800'—S side crs.	3,300	6.6	2,223	R (R) A T	500 500 800 300	1.5 1.0 2.0 1.0	Climb to 3,500' on crs. of 104° within 25 mi. of VOR.
	Oklahoma City VOR	287	138	3,800									
	Amarillo VOR	42	122	4,900									
	Garden City VOR	145	121	4,300									
	Gage LF Range	274	8	3,500									
	(All other directions—MEA).												

VHF OMNIRANGE (VOR) PROCEDURES—Continued

Station; frequency; identification; class	Initial approach to VOR station				Final approach course degs.; inbound; outbound	Procedure turn minimum altitude	Minimum altitude over VOR station on final approach (ft.)	Distance from VOR station to approach end of runway (mi.)	Field elevation (ft.)	Minimums			If visual contact not established at authorized landing minimums, or if landing not accomplished; remarks
	From—	Magnetic course degs.	Distance (mi.)	Minimum altitude (ft.)							Ceiling (ft.)	Visibility (mi.)	
GALVESTON, TEX. Galveston Airport 112.8 mc; GLS; BVOR	Beaumont VOR	222	64	1,300	137 317	1,300′—W side crs.	800	6.3	7	R (R) S* # A T	500 500 500 500 800 300	1.5 1.0 1.0 1.5 2.0 1.0	Climb to 1,300′ on crs. of 137° within 25 mi. of VOR. *Runway 13. #Night minimums.
	Austin VOR	102	183	7,000									
	Int. SW crs. Houston LF Range.	102	31	1,300									
	Houston LF Range	125	27.5	1,300									
	Galveston LF Range	339	1.5	1,300									
	(All other directions—MEA).												
HUTCHINSON, KANS. Hutchinson Airport 116.8 mc; HUT; BVOR	Dodge City VOR	75	113	4,000	32 212	2,700′—E side crs	2,200	5.8	1,542	R (R) S* # A T	500 500 500 500 800 300	1.5 1.0 1.0 1.5 2.0 1.0	Climb to 3,100′ on crs. of 32° within 25 mi. *Runway 3. #Night minimums.
	Wichita VOR	280	40	3,000									
	Int. 354° bearing on Salina VOR.	195	34.5	3,100									
	Int. N crs Wichita L F Range.	258	32.6	2,700									
	(All other directions—MEA).												
LAREDO, TEX. Laredo Airport 113.9 mc; LRD; BVOR	Cotulla VOR	185	70	1,600	317 137	1,700′—E side crs	1,200	4.5	512	R (R) S* # A T	500 500 500 500 800 300	1.5 1.0 1.0 1.5 2.0 1.0	Climb to 1,700′ on crs. of 317° within 25 mi. of VOR. *Runway 32R. #Night minimums.
	Alice LF Range	248	84	1,800									
	Brownsville VOR	300	167	4,500									
	Int. 47° bearing on Cotulla VOR.	137	46	1,700									
	Laredo LF Range	137	8.4	1,700									
	(All other directions—MEA).												
OTTUMWA, IOWA Ottumwa Airport 113.4 mc; OTM; BVOR	Ottumwa Rbn	125	7.6	1,900	305 125	1,900′—N side crs	1,400	7.6	845	R A T	500 800 300	2.0 2.0 1.0	Climb to 2,500′ on crs. of 305° within 25 mi. of VOR.
	Des Moines VOR	106	74	2,500									
	Quincy VOR	320	97	2,600									
	(All other directions—MEA).												
PALACIOS, TEX. Palacios Airport 117.3 mc; PSX; BVOR	Houston Range (LF)	208	87	1,500	116 296	1,200′—S side crs	680	3.9	13	R (R) S* A T	500 500 500 800 300	#1.5 #1.0 #1.0 #2.0 #1.0	Climb to 1,200′ on crs. of 116° within 25 mi. of VOR. *Runway 13. #Night operations not authorized.
	Corpus Christi VOR	40	92	1,200									
	Palacios LF Range	298	2	1,200									
	(All other directions—MEA).												
PINE BLUFF, ARK. Grider Field 116.0 mc; PBF; BVOR-DTVJ	Int. 314° bearing on Little Rock VOR.	180	9	1,400	179 359	1,400′—#E side crs.	940	4.9	205	R (R) S* ## A T	500 500 500 500 1,000 (BCOB) 300	1.5 1.0 1.0 1.5 2.0 1.0	Climb to 1,600′ on crs. of 179° within 25 mi. of VOR. *Runway 17. #Non-standard procedure turn account danger area W side of crs. ##Night minimums.
	Memphis VOR	238	127	2,500									
	El Dorado VOR	28	83	1,600									
	Texarkana VOR	60	131	2,500									
	(All other directions—MEA).												

VHF OMNIRANGE (VOR) PROCEDURES—Continued

Station; frequency; identification; class	Initial approach to VOR station				Final approach course degs., inbound; outbound	Procedure turn minimum altitude	Minimum altitude over VOR station on final approach (ft.)	Distance from VOR station to approach end of runway (mi.)	Field elevation (ft.)	Minimums			If visual contact not established at authorized landing minimums, or if landing not accomplished; remarks
	From—	Magnetic course degs.	Distance (mi.)	Minimum altitude (ft.)							Ceiling (ft.)	Visibility (mi.)	
PUEBLO, COLO. Pueblo Airport No. 1 112.1 mc; PUB; BVOR	Colorado Springs LF Range.	161	47	8,000	347 167	6,600′—E side crs. (within 10 mi.). 7,500′—Within 25 mi.	**5,800	3.5	4853	R ## (R) ## S# A T	500 500 500 500 500 800 300	1.5 2.0 1.0 2.0 1.0 2.0 1.0	Turn right, climb to 6,000′ on crs. of 80° within 25 mi. of VOR; or alternate procedure (when directed by ATC), climb to 7,000′ on crs. of 355° within 25 mi. *If contact not estab at 6,000′ at or prior to reaching VOR sta., climb to 6,600′ on crs. of 167° within 10 mi. for procedure turn. **If procedure turn is accomplished beyond 10 mi. altitude on final approach is 6,100′. #Runway 35. ##Night minimums.
	Colorado Springs ILS LOM (southbound only)	161	38	7,000									
	Fountain FM (southbount only).	161	34	7,000									
	Raton VOR	334	104	11,000									
	Lamar VOR	258	113	*6,000									
	Pueblo LF Range	200	1.5	*6,000									
	Trinidad LF Range	329	63	7,500									
	(All other directions—MEA).												
ST. LOUIS, MO. Lambert-St. Louis Airport 114.5 mc; STL; BVOR	St. Louis LF Range	303	11	1,800	138 318	1,800′—W side crs (within 10 mi.). 1,900′—within 25 mi.	1,300	9.2	552	R A T	700 800 300	2.0 2.0 1.0	Climb to 2,000′ on crs. of 138° to S crs. St. Louis LF Range and proceed on S crs. at 2,000.
	Quincy VOR	143	80	2,000									
	Columbia VOR	93	92.5	2,200									
	Vichy VOR	48	82.5	2,200									
	Farmington VOR	345	83.5	2,400									
	Evansville VOR	289	161	2,100									
	Loogootee VOR	264	87.5	2,000									
	Springfield VOR	209	84.5	2,000									
	(All other directions—MEA)												
SALINA, KANS. Salina Airport 115.3 mc; SLN; BVOR-DTVJ	Waldo VAR	94	62	3,000	131 311	2,800′—S side crs.	2,300	5.0	1,309	R A T	500 800 300	1.5 2.0 1.0	Climb to 2,500′ on crs. of 131° within 25 mi. of VOR.
	Int. 195° bearing on Hutchinson VOR	354	29	2,500									
	(All other directions—MEA)												
TULSA, OKLA. Tulsa Airport 114.1 mc; TUL; BVOR	Ponca City VOR	106	75	2,200	152 332	2,000′—W side crs.	1,500	5.7	674	R (R) S* # A T	500 500 500 500 800 300	1.5 1.0 1.0 1.5 2.0 1.0	Climb to 2,200′ on crs. of 225° within 25 mi. of VOR. *Runway 17L. #Night minimums.
	Skiatook FM	106	13.1	2,000									
	Fayetteville VOR	262	100	2,600									
	Int. S crs. Chanute LF Range Oklahoma City VOR	236 51	16 113	1,800 3,100									
	Verdigris River FM	262	11.6	1,800									
	All other directions—MEA)												

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

These procedures shall become effective upon publication in the FEDERAL REGISTER.

[SEAL] F. B. LEE,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 51-14617; Filed, Dec. 10, 1951; 8:48 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[File No. 21-322]

PART 204—RAYON AND ACETATE TEXTILE INDUSTRY

PROMULGATION OF TRADE PRACTICE RULES

Due proceedings having been held under the trade practice conference procedure in pursuance of the Act of Congress approved September 26, 1914, as amended (Federal Trade Commission Act), and other provisions of law administered by the Commission;

It is now ordered, That the trade practice rules of Group I and Group II, as hereinafter set forth, which have been approved and received, respectively, by the Commission in this proceeding, be promulgated as of December 11, 1951.

Statement by the Commission. Trade practice rules for the Rayon and Acetate Textile Industry are promulgated by the Federal Trade Commission under the trade practice conference procedure. Such rules constitute a revision and extension of the trade practice rule for the Rayon Industry promulgated by the Federal Trade Commission on October 26, 1937, and supersede the 1937 rules.

Members of the industry are persons, firms, corporations and organizations engaged in the sale of distribution in commerce of fibers, yarns, threads, fabrics, or other textile products, composed in whole or in part of regenerated cellulose or cellulose acetate.

The rules are directed to the elimination and prevention of unfair and deceptive acts or practices and are concerned, among other things, with the failure to properly identify and disclose the fiber content of industry products. They were established in cooperation with the industry and are being promulgated in the interest of protecting the purchasing public and maintaining fair competitive conditions in the industry.

Trade practice proceedings in this matter were instituted upon application of the Rayon Yarn Producers Group. Applications were also made by the National Retail Dry Goods Association and the National Institute of Cleaning and Dyeing. A conference for all segments of the industry and consumers affected by or interested in the problem was held on April 12 and 13, 1951, in New York City, at which proposals for rules were received and considered. Subsequently, a draft of proposed rules in appropriate form was made available by the Commission and public notice given whereby all interested and affected parties or groups were afforded opportunity to be heard and to present their views, suggestions, or objections. Pursuant to official notice, the public hearing was held on September 21, 1951, in New York City, and all matters there presented, or otherwise submitted in the proceeding, were duly considered.

Upon consideration of the entire proceeding, the Commission approved and received, respectively, the Group I and Group II rules as set out below.

Such rules become operative sixty (60) days from the date of promulgation.

These rules promulgated by the Commission are designed to foster and promote the maintenance of fair competitive conditions in the interest of protecting industry, trade, and the public. It is to this end, and to the exclusion of any act or practice which suppresses competition, restrains trade, fixes or controls price through combination or agreement, or which otherwise injures, destroys, or prevents competition, that the rules are to be applied.

GROUP I

Sec.
204.0 Definitions.
204.1 Misrepresentation (general).
204.2 Identification of fiber content of products composed wholly of rayon or acetate.
204.3 Construction and weave terms.
204.4 The terms "silk," "pure dye," "wool," "linen," "flax," "cotton," etc.
204.5 Identification of fiber content of mixed goods.
204.6 Trade-marks and trade names.
204.7 Adulterants.

GROUP II

204.101 Labeling information as to treatment and care of product.
204.102 Educational program as to treatment and care of product.

AUTHORITY: §§ 204.1 to 204.102 issued under sec. 6, 38 Stat. 722; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45.

GROUP I

General statement. The unfair trade practices embraced in §§ 204.1 to 204.7 are considered to be unfair methods of competition, unfair or deceptive acts or practices, or other illegal practices, prohibited under laws administered by the Federal Trade Commission; and appropriate proceedings in the public interest will be taken by the Commission to prevent the use, by any person, partnership, corporation, or other organization subject to its jurisdiction, of such unlawful practices in commerce.

§ 204.0 *Definitions* — (a) *Industry products.* As used in this part the term "industry products" means fiber, thread, yarn, or textile fabric or products, which are composed, in whole or in part, of "rayon" or "acetate" as such terms are defined in this section.

(b) *Rayon.* Man-made textile fibers and filaments composed of regenerated cellulose, and yarn, thread, or textile fabric made of such fibers and filaments.

(c) *Acetate.* Man-made textile fibers and filaments composed of cellulose acetate, and yarn, thread, or textile fabric made of such fibers and filaments.

§ 204.1 *Misrepresentation (general).* In the sale, offering for sale, or distribution of industry products in commerce,[1] it is an unfair trade practice to make any claim or representation concerning any of such products which has the capacity and tendency or effect of deceiving purchasers or prospective purchasers. [Rule 1]

§ 204.2 *Identification of fiber content of products composed wholly of rayon or acetate.* (a) It is an unfair trade practice, in connection with the sale, offering for sale, or distribution thereof in commerce,[1] to cause any rayon fiber, thread, filament, yarn, fabric, or garment or article made therefrom, to be advertised, branded, labeled, or otherwise represented:

(1) As not being rayon; or

(2) As being something other than rayon; or

(3) Without identification of such industry product as rayon made clearly and unequivocally in the invoices and labeling and in all advertising matter, sales promotional descriptions or representations thereof, however disseminated or published, and whether or not such material or product is described by name of process of manufacture.

(b) It is an unfair trade practice, in connection with the sale, offering for sale, or distribution thereof in commerce, to cause any acetate fiber, thread, filament, yarn, fabric, or garment or article made therefrom, to be advertised, branded, labeled, or otherwise represented:

(1) As not being acetate; or

(2) As being something other than acetate; or

(3) Without identification of such industry product as acetate made clearly and unequivocally in the invoices and labeling and in all advertising matter, sales promotional descriptions or representations thereof, however disseminated or published. [Rule 2]

§ 204.3 *Contruction and weave terms.* It is an unfair trade practice, in connection with the sale, offering for sale, or distribution in commerce[1] of fabrics or other products containing fiber, thread, or yarn of rayon or acetate, or of both rayon and acetate, to use or cause to be used, as descriptive thereof, the words "satin," "taffeta," "chiffon," "velvet," "crepe," "georgette," or other words or terms descriptive of a weave or construction, without clear and conspicuous identification of the fiber content set forth with equal prominence and in close conjunction therewith. [Rule 3]

§ 204.4 *The terms "silk," "pure dye," "wool," "linen," "flax," "cotton," etc.* It is an unfair trade practice, in connection with the sale, offering for sale, or distribution thereof in commerce,[1] to use or cause to be used, as descriptive of an

[1] As used in this part the word "commerce" means commerce among the several States or with foreign nations, or in any Territory of the United States or in the District of Columbia, or between any such Territory and another, or between any such Territory and any State or foreign nation, or between the District of Columbia and any State or Territory or foreign nation.

industry product composed wholly of rayon, or acetate, or of both rayon and acetate, the word "silk," or the distinctive term or phrase "pure dye," or the words "wool," "linen," "flax," "cotton," or any other words, terms, or phrases of similar import; or to use or cause to be used such words, terms, or phrases, or other yarn or fiber designations, as descriptive of an industry product composed in part of rayon or acetate or of rayon and acetate, unless the product is composed in part of silk, wool, linen, flax, cotton, or of such other yarns or fibers, as the case may be, and that the use of the distinctive term "pure dye" is descriptive only of that part of the product composed of pure silk, and the identification of fiber content is made in conformity with § 204.5 for the identification of fiber content of mixed goods. [Rule 4]

§ 204.5 *Identification of fiber content of mixed goods.* It is an unfair trade practice to sell or offer for sale or distribute in commerce[1] any industry product composed of rayon and acetate with or without other textile fiber or fibers, or either rayon or acetate with other textile fiber or fibers, without making identification of the fiber content of such industry product on all invoices, labels, advertisements, and other representations concerning such products by accurately designating and naming each constituent fiber in the order of predominance by weight, with or without accompanying statement of the fraction or percentage by weight of the entire mixture which each represents, such identification being subject to the following provisions:

(a) Where the fiber or fibers comprising at least ninety-five percent (95%) by weight of such product of two or more fibers are stated, then the remaining fiber or fibers constituting five percent (5%) or less by weight of the fiber content of such product may be designated as "Other Fiber," or as "Other Fibers" or "Miscellaneous Fibers," as the case may be; but any statement on invoices, labels, or advertising which identifies by name any fiber which constitutes five percent (5%) or less by weight of the fabric shall state the percentage by weight in which such specifically named fiber is present in the product.

(b) Statements of the fiber content contained in any such mixed product of two or more fibers shall not set forth the name of any fiber in a type or manner so disproportionately enlarged, emphasized, or conspicuously placed, as thereby to have the capacity and tendency or effect of deceiving purchasers or prospective purchasers into the belief that a greater proportion of such fiber is present than is in fact true.

(c) In the case of wool products, as defined in the Wool Products Labeling Act of 1939, the fiber content of such products shall be stated on labels in compliance with the provisions of said act and the rules and regulations of the Federal Trade Commission issued under the authority of said act. [Rule 5]

See footnote on p. 12424.

§ 204.6 *Trade-marks and trade names.* Nothing in this part shall be construed to prohibit the truthful, accurate, and nondeceptive use of the trade-mark or trade name of the manufacturer, processor, distributor, or seller of any such rayon or acetate fiber, yarn, thread, or fabric, or articles or garments made therefrom, provided that when such trade-mark or trade name is used in conjunction with any name or description of such product, the fiber content thereof shall be conspicuously set forth in close conjunction therewith. [Rule 6]

§ 204.7 *Adulterants.* Nothing in this part shall be construed as relieving anyone of the requirement of making full, specific, and accurate disclosure of the presence, in any fiber, filament, thread, yarn, fabric, or garment or article made therefrom, of any substance added as loading material or as an adulterant, or of the requirement of otherwise avoiding deceptive concealment or misrepresentation in respect to such added substance. [Rule 7]

GROUP II

General statement. Compliance with trade practice provisions embraced in §§ 204.101 and 204.102 is considered to be conducive to sound business methods and is to be encouraged and promoted individually or through voluntary cooperation exercised in accordance with existing law. Nonobservance of such sections does not per se constitute violation of law. Where, however, the practice of not complying with §§ 204.101 and 204.102 is followed in such manner as to result in unfair methods of competition, or unfair or deceptive acts or practices, corrective proceedings may be instituted by the Commission as in the case of violation of §§ 204.1 to 204.7.

§ 204.101 *Labeling information as to treatment and care of product.* Since many rayon and acetate fabrics are similar in appearance yet require different treatment at the hands of consumers, the practice of manufacturers and distributors of such fabrics, and manufacturers and distributors of articles or garments made therefrom, of providing by tag or label attached to their respective products adequate information regarding care, handling, and service, including the proper methods of dyeing, cleaning, washing, and ironing, is recommended and approved. [Rule A]

§ 204.102 *Educational program as to treatment and care of product.* In addition to supplying labeling information in accordance with § 204.101, the practice, by producers, manufacturers, and distributors, of furnishing and disseminating, through advertisements, educational campaigns, or other media of publicity, accurate information as to the proper treatment, care, and cleaning of rayon or acetate products, is approved and recommended as desirable to enable consumers to obtain and enjoy full benefit of the desirable qualities and service of such products. [Rule B]

Issued: December 5, 1951.

Promulgated by the Federal Trade Commission December 11, 1951.

[SEAL] D. C. DANIEL, *Secretary.*

[F. R. Doc. 51-14594; Filed, Dec. 10, 1951; 8:45 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Federal Security Agency

PART 141—TESTS AND METHODS OF ASSAY FOR ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

PART 146—CERTIFICATION OF BATCHES OF ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

PENICILLIN-STREPTOMYCIN-BACITRACIN OINTMENT

By virtue of the authority vested in the Federal Security Administrator by the provisions of section 507 of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1040, 1055, as amended by 59 Stat. 463, 61 Stat. 11, 63 Stat. 409; 21 U. S. C. 357), the regulations for tests and methods of assay for antibiotic and antibiotic-containing drugs (21 CFR, 1950 Supp., Part 141) and certification of batches of antibiotic and antibiotic-containing drugs (21 CFR, 1950 Supp., Part 146) are amended as indicated below:

1. Part 141 is amended by adding the following new section:

§ 141.49 *Penicillin-streptomycin-bacitracin ointment, penicillin-dihydrostreptomycin-bacitracin ointment*—(a) *Potency*—(1) *Content of penicillin, streptomycin, and dihydrostreptomycin.* Proceed as directed in § 141.35 (a).

(2) *Bacitracin content.* Proceed as directed in § 141.37 (a) (2).

(b) *Moisture.* Proceed as directed in § 141.8 (b).

2. Part 146 is amended by adding the following new section:

§ 146.70 *Penicillin-streptomycin-bacitracin ointment, penicillin-dihydrostreptomycin-bacitracin ointment.* (a) Penicillin-streptomycin-bacitracin ointment and penicillin-dihydrostreptomycin-bacitracin ointment conform to all requirements prescribed by § 146.54 for penicillin-streptomycin ointment and penicillin-dihydrostreptomycin ointment, except that:

(1) It contains not less than 500 units of bacitracin per gram.

(2) In addition to the labeling prescribed by § 146.54 (b), each package shall bear on the outside wrapper or container and the immediate container the number of units of bacitracin per gram of ointment.

(3) In addition to complying with requirements of § 146.54 (c) a person who requests certification of a batch shall submit with his request a statement showing the batch mark and (unless previously submitted) the results and the date of the latest tests and assays of the bacitracin used in making the batch for potency, toxicity, moisture, and *p*H. He shall also submit in connection with his request a sample consisting of

not less than 7 packages of such ointment and (unless it was previously submitted) a sample consisting of 6 packages containing approximately equal portions of not less than 0.5 gram each of the bacitracin used in making the batch, packaged in accordance with the requirements of § 146.401 (b).

(b) The fee for the services rendered with respect to each immediate container in the sample of bacitracin submitted in accordance with requirements prescribed therefor by this section shall be $4.00.

(Sec. 701, 52 Stat. 1055; 21 U. S. C. 371. Interpret or apply sec. 507, 59 Stat. 463, as amended; 21 U. S. C. 357)

This order, which provides for tests and methods of assay and certification of a new antibiotic preparation, penicillin-streptomycin-bacitracin ointment, shall become effective upon publication in the FEDERAL REGISTER, since both the public and the affected industries will benefit by the earliest effective date, and I so find.

Notice and public procedure are not necessary prerequisites to the promulgation of this order, and I so find, since it was drawn in collaboration with interested members of the affected industries and since it would be against public interest to delay providing for tests and methods of assay and certification of penicillin-streptomycin-bacitracin ointment.

Dated: December 6, 1951.

[SEAL] JOHN L. THURSTON,
Acting Administrator.

[F. R. Doc. 51-14635; Filed, Dec. 10, 1951; 8:51 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter VIII—Office of Rent Stabilization, Economic Stabilization Agency

[Controlled Housing Rent Reg., Amdt 427]

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg., Amdt. 422]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

CALIFORNIA, ILLINOIS, MICHIGAN, MINNESOTA, AND NEW JERSEY

Amendment 427 to the Controlled Housing Rent Regulation (§§ 825.1 to 825.12) and Amendment 422 to the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92). Said regulations are amended in the following respects:

1. Schedule A, Item 35a, is amended to describe the counties in the Defense-Rental Area as follows:

San Joaquin County, except the Cities of Lodi, Manteca, Ripon, Stockton and Tracy, and all unincorporated localities.

This decontrols the city of Tracy in San Joaquin County, California, a portion of the Sacramento, California, Defense-Rental Area.

2. Schedule A, Item 83, is amended to describe the counties in the Defense-Rental Area as follows:

Cook County, except the cities of Berwyn, Blue Island, Calumet City, Chicago Heights, Des Plaines, Harvey, Park Ridge, and that portion of the city of Elgin located therein, and the villages of Arlington Heights, Bartlett, Brookfield, Burnham, Dolton, Flossmoor, Franklin Park, Glencoe, Glenview, Homewood, Kenilworth, La Grange, La Grange Park, Lansing, Lyons, Markham, Matteson, Mount Prospect, Northfield, Oak Forest, Orland Park, Palatine, Phoenix, Riverdale, River Forest, Riverside, South Holland, Tinley Park, Westchester, Western Springs, Wheeling, Wilmette, Winnetka, and those portions of the villages of Barrington, Hinsdale and Steger located therein; Du Page County, except the cities of West Chicago and Wheaton, and the villages of Bensenville, Glen Ellyn, Itasca and Roselle, and that portion of the village of Hinsdale located therein; Kane County, except that portion of the city of Elgin located therein, the cities of Batavia, Geneva, and St. Charles, and the villages of East Dundee, South Elgin and West Dundee; and Lake County, except the city of Lake Forest, the village of Deerfield, and that portion of the village of Barrington located therein.

This decontrols the villages of Markham, Northfield, Phoenix and Riverside in Cook County, Illinois, the village of Hinsdale in Du Page and Cook Counties, Illinois, and the city of Geneva and the village of South Elgin in Kane County, Illinois, portions of the Chicago, Illinois, Defense-Rental Area.

3. Schedule A, Item 92, is amended to describe the counties in the Defense-Rental Area as follows:

Boone County, except the village of Capron and all unincorporated localities; and Winnebago County, except the cities of Loves Park, Rockford and South Beloit, the villages of Cherry Valley, Pecatonica and Rockton, and all unincorporated localities.

De Kalb County, except all unincorporated localities.

This decontrols the village of Cherry Valley in Winnebago County, Illinois, a portion of the Rockford, Illinois, Defense Rental Area.

4. Schedule A, Item 149, is amended to describe the counties in the Defense-Rental Area as follows:

Oakland County, except (i) the townships of Addison, Avon, Bloomfield, Brandon, Commerce, Farmington, Groveland, Highland, Holly, Independence, Milford, Novi, Oakland, Orion, Oxford, Pontiac, Rose, Springfield, Troy, Waterford and West Bloomfield, (ii) the villages of Clarkston, Holly, Lake Orion, Leonard, Milford, Ortonville, Oxford, Rochester and that portion of Northville located in Oakland County, and (iii) the cities of Berkley, Birmingham, Bloomfield Hills, Clawson, Farmington, Ferndale, Hazel Park, Pleasant Ridge, Pontiac, Royal Oak, South Lyon and Sylvan Lake; Wayne County, except (i) the cities of Belleville, Grosse Pointe, Grosse Pointe Farms, Grosse Pointe Park, Grosse Pointe Woods, Lincoln Park, Melvindale and Plymouth, (ii) the villages of Allen Park, Flat Rock, Grosse Point Shores, Inkster, Trenton, and Wayne, (iii) that portion of the village of Northville located in Wayne County, and (iv) the townships of Brownstown, Canton, Grosse Ile, Nankin, Northville, Romulus, Sumpter, Taylor and Van Buren; and Macomb County, except the city of Mount Clemens, the villages of Fraser and Roseville, and the townships of Armada, Bruce, Harrison, Lenox, Macomb, Ray, Richmond, Shelby, Sterling and Washington.

This decontrols the townships of Farmington in Oakland County, Michigan, and the village of Flat Rock and the township of Northville in Wayne County, Michigan, portions of the Detroit, Michigan, Defense-Rental Area.

5. Schedule A, Item 152, is amended to describe the counties in the Defense-Rental Area as follows:

Calhoun County, except the city of Battle Creek and the township of Battle Creek.

In Kalamazoo County, the townships of Charleston, Comstock, Portage and Rose, and the cities of Augusta, Galesburg and Parchment.

This decontrols the township of Kalamazoo in Kalamazoo County, Michigan, a portion of the Kalamazoo-Battle Creek, Michigan, Defense-Rental Area.

6. Schedule A, Item 160, is amended to describe the counties in the Defense-Rental Area as follows:

Anoka, Dakota, and Hennepin Counties; Ramsey County, except the city of White Bear Lake; and Washington County, except the city of Stillwater.

This decontrols the city of White Bear Lake in Ramsey County, Minnesota, a portion of the Minneapolis-St. Paul, Minnesota, Defense-Rental Area.

7. Schedule A, Item 191, is amended to describe the counties in the Defense-Rental Area as follows:

Warren County, except the borough of Washington, the town of Belvidere, and the townships of Blairstown, Franklin, Greenwich, Hope, Independence, Mansfield, Oxford, Pahaquarry, Pohatcong, Hardwick, Frelinghausen, and White.

The counties of Hunterdon and Mercer.

This decontrols the townships of Blairstown and Greenwich in Warren County, New Jersey, portions of the Trenton, New Jersey, Defense-Rental Area.

8. Schedule A of the Controlled Housing Rent Regulation, Item 34, is amended to describe the counties in the Defense-Rental Area as follows:

Contra Costa County, except the cities of Brentwood, El Cerrito, Martinez and Walnut Creek; and Solano County.

Solano County.

This decontrols from the Controlled Housing Rent Regulation, the city of El Cerrito in Contra Costa County, California, a portion of the Richmond-Vallejo, California, Defense-Rental Area.

9. Schedule A of the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments, Item 34, is amended to describe the counties in the defense-rental area as follows:

Contra Costa County, except the cities of Brentwood, El Cerrito, Martinez and Walnut Creek.

Solano County.

This decontrols from the Rent Regulation for Controlled Rooming Houses and Other Establishments, the city of El Cerrito in Contra Costa County, California, a portion of the Richmond-Vallejo, California, Defense-Rental Area.

All decontrols effected by this amendment are based on resolutions submitted

in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

This amendment shall be effective December 11, 1951.

Issued this 6th day of December 1951.

TIGHE E. WOODS,
Director of Rent Stabilization.

[F. R. Doc. 51-14634; Filed, Dec. 10, 1951; 8:51 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue, Department of the Treasury

Subchapter C—Miscellaneous Excise Taxes

[T. D. 5870]

PART 190—RECTIFICATION OF SPIRITS AND WINES

1. In order to conform Regulations 15, "Rectification of Spirits and Wines" (26 CFR Part 190), to Public Law 161 (82d Cong.) approved October 10, 1951, which amends section 2801 (c) (1) of the Internal Revenue Code by striking out, wherever they appear, the words "ninety proof" and substituting in lieu thereof the words "eighty proof", §§ 190.479, 190.488 and 190.546 of such regulations are hereby amended to read as follows:

SUBPART Y—RECTIFICATION

BLENDING OF STRAIGHT WHISKIES AND PURE FRUIT BRANDIES

§ 190.479 *Exemption from tax.* The rectifying tax of 30 cents per proof gallon does not attach to blends made exclusively of two or more pure straight whiskies aged in wood for a period of not less than four years and without the addition of coloring or flavoring matter or any other substance than pure water, and if not reduced below 80 proof, nor to blends made exclusively of two or more pure fruit brandies distilled from the same kind of fruit, aged in wood for a period not less than two years and without the addition of coloring or flavoring matter or any other substance than pure water and if not reduced below 80 proof: *Provided,* That the blending is done under the immediate supervision of the Government officer assigned to the plant or detailed to such duty by the district supervisor: *And provided further,* That the foregoing prohibition against the addition of coloring or flavoring matter shall not be construed to prevent the blending under the provisions of this part of pure fruit brandies otherwise eligible, to which a small quantity of burnt sugar has been added under the limitations prescribed in Regulations 5 (26 CFR Part 184).

(53 Stat. 300, as amended, 375; 26 U. S. C. 2801, 3176)

§ 190.488 *Failure to observe conditions.* Any blending of such whisky or brandy without supervision of a Government officer as outlined in § 190.484, or with the addition of any coloring, flavoring, or other substance, or if reduced below 80 proof, will necessitate payment of the rectifying tax.

(53 Stat. 300, as amended, 375; 26 U. S. C. 2801, 3176)

SUBPART AA—COMMODITY TAXES ON RECTIFIED SPIRITS AND PRODUCTS

§ 190.546 *Exemption from rectification tax.* The tax of 30 cents per proof gallon does not attach to gin produced by the redistillation of a pure spirit over juniper berries and other aromatics; to the mixing and blending of wines, where such blending is for the sole purpose of perfecting such wines according to recognized commercial standards; to cordials or liqueurs on which a tax is imposed by section 3030 (a), I. R. C.; nor to blends made exclusively of two or more pure straight whiskies aged in wood for a period of not less than four years and without the addition of coloring or flavoring matter or any other substance than pure water, and if not reduced below 80 proof nor to blends made exclusively of two or more pure fruit brandies distilled from the same kind of fruit, aged in wood for a period not less than two years and without the addition of coloring or flavoring matter or any other substance than pure water, and if not reduced below 80 proof: *Provided,* That such blended whiskies and blended fruit brandies are compounded under the immediate supervision of a revenue officer in such tanks and under such conditions and supervision as provided in Subpart Y of this part.

(53 Stat. 298, as amended, 300, as amended, 375; 26 U. S. C. 2800, 2801, 3176)

2. In order to fully effectuate the purpose of Public Law 161 it is desirable that these regulations be published immediately and, pursuant to section 3791, Internal Revenue Code, be made retroactively effective as of October 10, 1951, the date of approval of the Public Law. It is therefore found impracticable and contrary to the public interest to comply with the notice, public rule making, and effective date requirements of the Administrative Procedure Act (5 U. S. C. 1001, et seq.).

3. This Treasury decision shall be effective on October 10, 1951.

[SEAL] JOHN B. DUNLAP,
Commissioner of Internal Revenue.

Approved: December 6, 1951.

THOMAS J. LYNCH,
Acting Secretary of the Treasury.

[F. R. Doc. 51-14686; Filed, Dec. 7, 1951; 11:39 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 1, Revision 1, Amdt. 3]

CPR 1—NEW PASSENGER AUTOMOBILES

ADJUSTMENT OF CEILING PRICES FOR EXTRA EQUIPMENT AND ALTERNATIVE METHOD FOR COMPUTING A PRICE INCREASE ADJUSTMENT FACTOR FOR EXTRA EQUIPMENT

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 3, to Ceiling Price Regulation 1, Revision 1, is hereby issued.

STATEMENT OF CONSIDERATIONS

Ceiling Price Regulation 1, Revision 1, permitted manufacturers of automobiles to adjust their prevailing ceiling prices to reflect certain increases in the cost of materials and labor. To obtain the permitted percentage of cost increase the manufacturer took a single automobile representative of his best selling automobile and calculated the increased cost of materials and direct labor entering into the automobile between certain dates. The manufacturer then obtained a price increase adjustment factor by adding the increased cost adjustments to the base price of the automobile and dividing the result by the prevailing ceiling price of the automobile. The increased price adjustment factor obtained was then to be applied to every other car of that make and to the extra equipment used on that make of automobile.

However, inasmuch as the ceiling price of the automobile to which the factor was applied had, on March 2, 1951, been increased by 3½ percent, whereas the ceiling prices of the extra, special, or optional equipment had not been similarly increased, the application of the factor to the ceiling prices of the extra equipment then prevailing did not result in a comparable increase for such extra equipment. This amendment is designed to correct this disparity by adding the 3½ percent to the ceiling price of the extra equipment prevailing on the date of the issuance of Ceiling Price Regulation 1, Revision 1, before the application of the price increase adjustment factor.

Furthermore, it appears that in certain instances, manufacturers increased automobile prices between June 24, 1950 and December 1, 1950, but did not increase the price of the extra equipment furnished with the automobile during this period. In such cases the price increase adjustment factor determined on the basis of the increased price of the automobile is too low to permit an appropriate increase in price for the extra equipment in line with the level of prices contemplated by Ceiling Price Regulation 1, Revision 1.

This amendment, therefore, also provides an alternative method of computing and applying a price increase adjustment factor appropriate for those manufacturers who increased their automobile prices subsequent to June 24, 1950, but did not increase their extra equipment prices in line with the automobile prices. Under this alternative method the manufacturer determines his base date price of the automobile upon which the cost increase adjustments were calculated and then adds the cost increase adjustments to that base date price. The result is then divided by the sum of the base date price plus an amount equal to 3½ percent of such base date price to obtain the price increase adjustment factor for the applicable make of car. To determine the ceiling price of the extra equipment the manufacturer then multiplies the June 24, 1950 price of the extra equipment he is pricing, less excise tax,

if any, plus 3½ percent of the June 24, 1950 price, less excise tax, if any, by the price increase adjustment factor applicable to the make of automobile upon which the extra equipment is to be used. The ceiling prices for extra equipment determined under this alternative method in no way departs from the principles embodied in CPR 1, Revision 1.

Every effort has been made to conform this amendment to existing business practices, cost practices or methods, or means or aids to distribution. Insofar as any provisions of this amendment may operate to compel changes in the business practices, cost practices or methods, or means or aids to distribution, such provisions are found by the Director of Price Stabilization to be necessary to prevent circumvention or evasion of the amendment.

Before the issuance of this amendment, consultation was had with various representatives of the automobile industry and due consideration was given to their recommendations.

AMENDATORY PROVISIONS

Ceiling Price Regulation 1. Revision 1, is amended in the following respects:

1. Section 4 (b) is amended to read as follows:

(b) If a new automobile is sold with equipment additional to that which was standard on the date of the issuance of this revised regulation, you may add to the ceiling price of the automobile determined under paragraph (a) of this section a sum determined as follows: Take the ceiling price (less excise tax, if any) in effect on the date of the issuance of this revised regulation to the same class of purchaser for the additional equipment and multiply it by 103.5 percent. Then multiply the result by the price increase adjustment factor applicable to the make of automobile to which the additional equipment is attached. To this result add the applicable excise tax, if any, if you had previously included an excise tax in the price of the additional equipment.

2. Section 9 (b) is amended to read as follows:

(b) To determine the ceiling price of any item of extra, special or optional equipment take the ceiling price (less excise tax, if any) of such item of equipment in effect on the date of issuance of this revised regulation to each class of purchaser and multiply this price by 103.5 percent. Then multiply this result by the price increase adjustment factor applicable to the make of automobile upon which the item of equipment is to be used. To this result add the applicable excise tax, if any, if you had previously included an excise tax in the price of such equipment.

3. A new section 9A is added to read as follows:

SEC. 9A. *Alternative method of computing and applying a price increase adjustment factor for extra, special or optional equipment for each make of car.* You may determine the ceiling price of any item of extra, special or optional equipment as follows:

(a) To the base date price of the automobile to your largest class of purchaser upon which the cost increase adjustments were calculated, add the labor, conversion steel, and materials cost increase adjustments.

(b) Divide the result determined under paragraph (a) of this section by the sum of the base date price used in paragraph (a) of this section and an amount equal to 3½ percent of such base date price. This is your price increase adjustment factor for extra, special or optional equipment for that make of car. You must compute this factor to at least the fourth decimal.

(c) To determine the ceiling price of any item of extra, special or optional equipment take the price of such item of equipment in effect on June 24, 1950 (less excise tax, if any), and multiply this price by 103.5 percent. Then multiply this result by the price increase adjustment factor applicable to the make of automobile upon which the item of such equipment is to be used as determined under paragraph (b) of this section. To this result add the applicable excise tax, if any, if you had previously included an excise tax in the price of such equipment.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective December 15, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 10, 1951.

[F. R. Doc. 51-14751; Filed, Dec. 10, 1951; 11:04 a. m.]

[Ceiling Price Regulation 22, Amdt. 4 to Supplementary Regulation 12]

CPR 22—MANUFACTURERS' GENERAL CEILING PRICE REGULATION

SR 12—EXTENSION OF EFFECTIVE DATE FOR PARTICULAR COMMODITIES

INDEFINITE EXTENSION OF TERMINATION DATE

Correction

The following correction is made to Amendment 4 to Supplementary Regulation 12 to Ceiling Price Regulation 22 (16 F. R. 12185).

In the definition of petrochemicals, which is contained in subparagraph 35 to section 1 (b), the word "or" before "raw materials" should read "as", so that the definition of petrochemicals contained in subparagraph 25 reads as follows:

Petrochemicals, defined as synthetic organic chemicals containing one or more carbon atoms using fractions of crude petroleum, including hydrocarbon components of natural gas, as raw materials.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 10, 1951.

[F. R. Doc. 51-14741; Filed, Dec. 10, 1951; 11:02 a. m.]

[Ceiling Price Regulation 22, Supplementary Regulation 17, Amdt. 1]

CPR 22—MANUFACTURERS' GENERAL CEILING PRICE REGULATION

SR 17—ADJUSTMENTS UNDER SECTION 402 (D) (4) OF THE DEFENSE PRODUCTION ACT OF 1950, AS AMENDED

APPLICATIONS ON A UNIT OF YOUR BUSINESS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738, this Amendment 1 to Supplementary Regulation 17 to Ceiling Price Regulation 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

It has developed, since the issuance of Supplementary Regulation 17, that many manufacturers who would otherwise be eligible under section 16 to apply for the adjustment of Ceiling Price Regulation 22 ceiling prices for commodities produced in a particular unit of their business are not eligible to do so because of the fact that the commodities produced in that unit overlap by more than the minimum permitted commodities produced in other units of their business. Many of the commodities which overlap fall into the "catch-all" classifications contained in the Standard Industrial Classification System established by the Bureau of the Budget of the Executive Office of the President.

For almost each group of commodities, there is a "catch-all" classification for commodities "not elsewhere classified". Commodities included within such a catch-all classification are as diverse as commodities for which independent classifications have been established. Consequently, it would be unfair to deny manufacturers whose commodities are in the catch-all classification the same privilege that is given to manufacturers whose commodities are given independent classifications, if in fact, the commodities in the catch-all classification are different. For that reason, section 16 is being amended to permit manufacturers to file for permission to adjust the CPR 22 ceiling prices for commodities produced in a unit which meets the present requirements of that section, except for the fact that there is an overlapping of commodities in the catch-all classifications.

The wide coverage of this amendment and the urgency of the situation has made it impossible to consult in detail with representatives of all of the industries affected. However, in the preparation of this amendment, consultation was held with individual industry representatives and consideration was given to their recommendations.

AMENDATORY PROVISIONS

Section 16 of Supplementary Regulation 17 to Ceiling Price Regulation 22 is amended in the following respects:

1. A new paragraph (c) is added, as follows:

(c) The Director of Price Stabilization may permit you to apply separately for a separate production unit of your business, even though more than 10 per-

cent of the total sales of commodities produced in this unit during the 1950 fiscal year are commodities in the same industrial classification as commodities representing 10 percent or more of the total dollar sales of any other unit during the same period. You may do this wherever the industrial classification which includes these commodities is one whose description includes the words "not elsewhere classified." In such cases you may file an application as provided by paragraph (b). In addition to the information requested in subparagraph (1) of paragraph (b) your application must include the following information: A specific reference to this paragraph; a list of the commodities included in the relevant industrial classification which are produced in the unit of your business for which you wish to file a separate application; a list of the commodities in the relevant industrial classification which are produced in other units of your business, indicating the units in which each is produced and the proportion that the sales of such commodities represent of the total sales of the unit in which they were produced in your 1950 fiscal year. (Where more than one commodity is involved, you need not state the proportion of the unit's sales represented by each commodity, but only the proportion of the unit's sales represented by all the commodities in the same industrial classification.)

2. Paragraph (c) is relettered as paragraph (d).

3. Paragraph (d) is relettered as paragraph (e).

Effective date. This amendment shall become effective December 10, 1951.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154).

NOTE: The record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 10, 1951.

[F. R. Doc. 51-14742; Filed, Dec. 10, 1951; 11:02 a. m.]

[Ceiling Price Regulation 30, Supplementary Regulation 4, Amdt. 1]

CPR 30—MACHINERY AND RELATED MANUFACTURED GOODS

SR 4—ADJUSTMENTS UNDER SECTION 402 (D) (4) OF THE DEFENSE PRODUCTION ACT OF 1950, AS AMENDED

APPLICATIONS ON A UNIT OF YOUR BUSINESS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 1 to Supplementary Regulation 4 to Ceiling Price Regulation 30 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment was issued for the same reasons and accomplishes the same objectives as Amendment 1 to SR 17 to CPR 22. Accordingly, the Statement of Considerations involved in the issuance of that amendment is equally applicable to this amendment.

The wide coverage of this amendment and the urgency of the situation has made it impossible to consult in detail with representatives of all of the industries affected. However, in the preparation of this amendment, consultation was held with individual industry representatives and consideration was given to their recommendations.

AMENDATORY PROVISIONS

Section 16 of Supplementary Regulation 4 to Ceiling Price Regulation 30 is amended in the following respects:

1. A new paragraph (c) is added, as follows:

(c) The Director of Price Stabilization may permit you to apply separately for a separate production unit of your business, even though more than 10 percent of the total sales of the commodities produced in this unit during the 1950 fiscal year are commodities in the same industrial classification as commodities representing 10 percent or more of the total dollar sales of any other unit during the same period. You may do this wherever the industrial classification which includes these commodities is one whose description includes the words "not elsewhere classified." In such cases you may file an application as provided by paragraph (b). In addition to the information requested in subparagraph (1) of paragraph (b) your application must include the following information: A specific reference to this paragraph; a list of the commodities included in the relevant industrial classification which are produced in the unit of your business for which you wish to file a separate application; a list of the commodities in the relevant industrial classification which are produced in other units of your business indicating the units in which each is produced and the proportion that the sales of such commodities represent of the total sales of the unit in which they were produced in your 1950 fiscal year. (Where more than one commodity is involved, you need not state the proportion of the unit's sales represented by each commodity, but only the proportion of all the unit's sales represented by the commodities in the same industrial classification).

2. Paragraph (c) is relettered as paragraph (d).

3. Paragraph (d) is relettered as paragraph (e).

Effective date. This amendment shall become effective December 10, 1951.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154).

NOTE: The record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 10, 1951.

[F. R. Doc. 51-14743; Filed, Dec. 10, 1951; 11:02 a. m.]

[Ceiling Price Regulation 30, Amdt. 24]

CPR 30—MACHINERY AND RELATED MANUFACTURED GOODS

BRAND NAME MANUFACTURERS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 24 to Ceiling Price Regulation 30 is hereby issued.

STATEMENT OF CONSIDERATIONS

Ceiling Price Regulation 30, as amended, included in its coverage persons who sell a commodity under their own brand or trade name, where they also produce the same or similar commodity in their own plant, or where the commodity which they sell under their own brand or trade name is a replacement part for a commodity which they produce in their own plant. The ceiling prices of brand name manufacturers who actually do not produce the commodity they sell differ in many cases from the selling prices of identical commodities sold by the actual manufacturer. The commodities are in many cases readily identified as being the same despite the difference in names under which they are sold. Many suppliers of brand name manufacturers have, accordingly, indicated that their own sales are being adversely affected by the disparity in prices.

This amendment to CPR 30 revises the definition of "manufacturer" to limit the application of the regulation to those brand name manufacturers who produce the same or similar commodities in their own plant or who furnish the actual manufacturer of the commodity with the tools or dies used in the production of the commodity. However, any other brand name seller will be permitted to elect to be covered by and to price under this regulation upon notifying the Office of Price Stabilization. Such brand name manufacturers not electing to be covered under this regulation will be covered under the resellers' regulation, CPR 67. A companion amendment to CPR 67 redefining "manufacturers" in accordance with the foregoing is being issued simultaneously with this amendment.

Due to the nature of this amendment, formal consultation with all the persons affected was not feasible. This amendment conforms to the expressed views obtained from several of the manufacturers involved.

AMENDATORY PROVISIONS

Ceiling Price Regulation 30 is amended in the following respects:

Section 45 (k) is amended to read as follows:

(k) *Manufacturer.* This term means any one of the following:

(1) Any person engaged in one or more operations in the fabrication, processing or assembly of the product being priced, including subcontractors.

(2) Any person who sells a commodity which has been produced on his account from materials or parts owned by him.

(3) Any person who sells a commodity under his own brand or trade name,

where he produces the same or similar commodity.

(4) Any person who sells a commodity under his own brand or trade name where he owns the tools or dies used to produce the commodity.

(5) Any person who sells a commodity under his own brand or trade name who elects to price such a commodity under this regulation. Any person making such an election must notify by registered mail the Industrial Materials and Manufactured Goods Division, Office of Price Stabilization, Washington 25, D. C., of his election which shall become effective upon receipt of notice thereof by the Office of Price Stabilization. Such an election shall cover all commodities sold under the brand or trade name of the person making such an election and may not be changed without notification to and written approval of the Director of Price Stabilization.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. The effective date of this amendment is December 15, 1951.

NOTE: The reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 10, 1951.

[F. R. Doc. 51-14749; Filed, Dec. 10, 1951; 4:00 p. m.]

[Ceiling Price Regulation 55, Amdt. 1 to Supplementary Regulation 5]

CPR 55—CEILING PRICES FOR CERTAIN PROCESSED VEGETABLES OF THE 1951 PACK

SR 5—CEILING PRICE ADJUSTMENT FOR CERTAIN CANNED TOMATO PRODUCTS

CHANGES IN AMOUNTS OF ADJUSTMENT FOR NO. 2½ CANS OF CANNED TOMATO PUREE

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105) and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 1 to Supplementary Regulation 5 to Ceiling Price Regulation 55 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to SR 5 to CPR 55 changes the amounts of the dollars-and-cents adjustments allowed under the supplementary regulation for 2½ cans of tomato puree. Due to clerical error, the amounts specified in the table under section 5 (b) of SR 5 as the adjusted ceiling prices per dozen containers for No. 2½ cans of tomato puree were shown as $10.00 for 1.06 and over specific gravity, and $8.80 for under 1.06 specific gravity instead of $2.50 and $2.20 respectively. This amendment accordingly corrects such error.

AMENDATORY PROVISIONS

The table in section 5 (b) of Supplementary Regulation 5 to Ceiling Price Regulation 55 is amended by deleting the figures "$10.00" and "$8.80" named for the No. 2½ container size and by substituting the figure "$2.50" for tomato puree of 1.06 and over specific gravity, and the figure "$2.20" for tomato puree of under 1.06 specific gravity.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective December 10, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 10, 1951.

[F. R. Doc. 51-14744; Filed, Dec. 10, 1951; 11:02 a. m.]

[Ceiling Price Regulation 60, Amdt. 4]

CPR 60—CASTINGS

INSERTION OF CUTOFF DATE

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738) this correction to Amendment 3 of Ceiling Price Regulation 60 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment corrects an error which was made in Amendment 3 to Ceiling Price Regulation 60. In section 4 (a) (1) (i), which specifies the metal costs to be used in computing ceiling prices on a formula basis, the cutoff date of July 30, 1951, was inadvertently omitted, and it has been inserted by this amendment.

Because of the circumstances surrounding the issuance of this amendment, it was not practicable to consult with industry representatives.

AMENDATORY PROVISIONS

Section 4 (a) (1) (i) of Ceiling Price Regulation 60 is amended to read as follows:

(i) You must calculate the metal cost factor in exactly the same manner as you would have on January 25, 1951, but you must use metal costs as of July 30, 1951, determined in accordance with paragraph (a) of section 2a of this regulation.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective December 10, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 10, 1951.

[F. R. Doc. 51-14745; Filed, Dec. 10, 1951; 11:02 a. m.]

[Ceiling Price Regulation 67, Amdt. 5]

CPR 67—RESELLERS' CEILING PRICES FOR MACHINERY AND RELATED MANUFACTURED GOODS

DEFINITION OF MANUFACTURER; BRAND NAME

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 5 to Ceiling Price Regulation 67 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment revises the definition of the term "Manufacturer" insofar as the definition presently contained in this regulation embraces persons selling under their own brand or trade name. It parallels changes concurrently being made in the definition contained in CPR 30. The actions being virtually identical, the Statement of Considerations accompanying that amendment to CPR 30 is equally applicable to this amendment.

Due to the nature of this amendment, formal consultation with the persons affected by this amendment was not feasible. However, meetings were held with many brand name manufacturers and their views were considered in the preparation of this amendment.

AMENDATORY PROVISIONS

Ceiling Price Regulation 67 is amended in the following respects:

Section 17 (i) is amended to read as follows:

(i) *Manufacturer.* This term means any one of the following:

(1) Any person engaged in one or more operations in the fabrication, processing or assembling of the commodity being priced, including subcontractors.

(2) Any person who sells a commodity which has been produced on his account, from materials or parts owned by him.

(3) Any person who sells a commodity under his own brand or trade name, where he produces the same or a similar commodity.

(4) Any person who sells a commodity under his own brand or trade name where he owns the tools or dies used to produce the commodity.

(5) Any person who sells a commodity under his own brand or trade name and has elected to price such a commodity as a manufacturer by reporting such election to the Office of Price Stabilization.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective December 15, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 10, 1951.

[F. R. Doc. 51-14750; Filed, Dec. 10, 1951; 11:04 a. m.]

[General Overriding Regulation 22]

GOR 22—HOLIDAY GIFT FOOD PACKAGES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738) this General Overriding Regulation 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

This General Overriding Regulation 22 provides a method for the establishment of ceiling prices by manufacturers

and processors of foods and beverages who assemble such commodities in holiday gift packages.

Historically, many processors and manufacturers of food and beverage items assemble such products in the form of holiday gift packages and offer them for sale during the Christmas season or other appropriate holiday occasions. Frequently wholesale and retail distributors of food and beverage products assemble such items in appropriate gift packages for sale during holiday seasons. Ceiling Price Regulations 14, 15, and 16 contain appropriate provisions for wholesalers and retailers to establish ceiling prices for such holiday gift packages.

This regulation makes similar provision for the manufacturer or processor of such items, to enable him to calculate ceiling prices for holiday gift packages which are assembled by him, where it has been his practice to offer such items for sale in the past. Manufacturers and processors who assembled and offered holiday gift packages for sale during the preceding holiday period, may calculate their ceiling prices for current holiday gift packages by determining the sum of the ceiling prices of the products included in the package (using the established ceiling prices of the respective products), multiplying this sum by 105 percent, and adding to the result the actual cost of the packaging materials used for the package, including the container. The 5 percent adjustment is intended to cover the additional labor cost incurred in assembling such specialty packages. Any food or beverage product for which no ceiling price for sales by the manufacturer or processor has ever been established may not be included in a holiday gift package priced under this regulation. However, a product which was heretofore exempt from ceiling price regulation, or which is so exempt after the effective date of this General Overriding Regulation, may be included in a holiday gift package priced under this regulation using the ceiling price in effect for the product just prior to such exemption.

In the formulation of this regulation, consideration has been given to comparable provisions for establishing ceiling prices for holiday gift packages under regulations issued by the Office of Price Administration and to recommendations from representatives of certain industries which historically prepare gift packages for sale during holiday seasons.

In the judgment of the Director of Price Stabilization the provisions of this General Overriding Regulation are generally fair and equitable and are necessary to effectuate the purpose of Title IV of the Defense Production Act of 1950, as amended.

REGULATORY PROVISIONS

Sec.
1. What this regulation does.
2. Holiday gift packages assembled by you.

AUTHORITY: Sections 1 and 2 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101–2110. E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *What this resolution does.* This regulation establishes a method of calculating ceiling prices for sales of holiday gift packages containing food products, or food products and beverages, by manufacturers and processors of such products who sold such gift packages during the preceding holiday season.

SEC. 2. *Holiday gift packages assembled by you.* If you are a manufacturer or processor of food or beverage products, and if, during 1950, you assembled into holiday gift packages any food products or food products and beverages for which ceiling prices have since been established for you by any regulation of the Office of Price Stabilization heretofore or hereafter issued, you may on sales made after the effective date of this regulation calculate your ceiling price for each such package as follows:

(a) Determine the sum of the ceiling prices established for the products being packed in a single package (or in the case of products exempt from price control, use your ceiling price in effect just prior to the effective date of such exemption) and multiply the result by 1.05.

(b) To the amount calculated under paragraph (a) of this section add the actual cost to you of the packaging materials used for the package, including the container. The result is your ceiling price for the package. You must apply to this ceiling price your customary price differentials, including discounts, allowances, premiums, and extras, based upon differences in classes or location of purchasers or in terms and conditions of sale or delivery.

Effective date. This regulation shall become effective December 10, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 10, 1951.

[F. R. Doc. 51-14748; Filed, Dec. 10, 1951; 11:03 a. m.]

Chapter V—Defense Production Administration

[Regulation No. 3]

DPA REG. 3—REQUISITION, CONDEMNATION, AND DISPOSAL PROCEDURES

This regulation is found necessary and appropriate to promote the national defense and is issued pursuant to the authority of the Defense Production Act of 1950, as amended.

DEFINITIONS

Sec.
1. Delegate agency.
2. Initiating agency.
3. Requisition.
4. Condemnation.
5. Disposal.

REQUISITION AND CONDEMNATION PROCEDURES

6. Initiation.
7. Review.
8. Determination of necessity.
9. Requisition.
10. Condemnation.

JUST COMPENSATION IN REQUISITION PROCEEDINGS

Sec.
11. Preliminary determination.
12. Review.
13. Payment.

DISPOSAL PROCEDURES

14. Initiation.
15. Review.
16. Determination.
17. Disposal.

REPORTS

18. Reports to the Defense Production Administration.

AUTHORITY: Sections 1 to 18 issued under sec. 704, 64 Stat. 816, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 201, 64 Stat. 799, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2081; E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Sup.; E. O. 10200, Jan. 3, 1951, 16 F. R. 61; E. O. 10281, Aug. 28, 1951, 16 F. R. 8789.

DEFINITIONS

SECTION 1. *Delegate agency.* As used in these regulations, the term "Delegate Agency" means the Department of Agriculture and those agencies to whom functions under Title I of the Defense Production Act of 1950, as amended, are delegated by or under Defense Production Administration Delegation No. 1.

SEC. 2. *Initiating agency.* As used in these regulations, the term "Initiating Agency" means any Government agency or administration which proposes requisition, condemnation, or disposal. A delegate agency may be an initiating agency.

SEC. 3. *Requisition.* As used in these regulations, the term "requisition" means the taking of property other than real property (but including equipment and facilities, and buildings and other structures, to be demolished and used as scrap or second-hand materials), or the use thereof which the Government finds to be necessary for the national defense.

SEC. 4. *Condemnation.* As used in these regulations, the term "condemnation" means the taking of real property, including facilities, temporary use thereof, or other interest therein, together with any personal property located thereon or used therewith, which the Government finds to be necessary for the national defense.

SEC. 5. *Disposal.* As used in these regulations, the term "disposal" means the procedure authorized by section 201 (c) and (d) of the Defense Production Act of 1950, as amended, to dispose of requisitioned or condemned property for which the defense need has terminated.

REQUISITION AND CONDEMNATION PROCEDURES

SEC. 6. *Initiation.* (a) Any Government agency may propose the requisition or condemnation of property, or its use, which it finds to be necessary for the national defense.

(b) Except as provided in paragraph (d) of this section, proposals for requisition shall be submitted to the appropriate delegate agency in prescribed form which shall include a full statement of the facts relied upon to support the following determinations:

(1) That such property is needed for the defense of the United States,

(2) That such need is immediate and impending and such as will not admit of delay or resort to any other source of supply, and

(3) That all other means of obtaining the use of such property for the defense of the United States upon fair and reasonable terms have been exhausted.

(c) Except as provided in paragraph (d) of this section, proposals for condemnation will be submitted to the appropriate delegate agency in prescribed form which shall include a full statement of the facts relied upon to support the following determinations:

(1) That such property is necessary for the national defense, and

(2) (i) That an effort has been made, without success, to acquire such property by negotiation, or

(ii) That an effort to acquire such property by negotiation would involve such delay as to be contrary to the interest of national defense because of

(*a*) Reasonable doubt as to the identity of the owner or owners.

(*b*) The large number of persons with whom it would be necessary to negotiate, and/or

(*c*) Other reasons as specified.

(d) The requisition and condemnation recommendations of the following agencies in the areas designated will be submitted directly to the Defense Production Administration—

(1) Any delegate agency with respect to property within its area of responsibility.

(2) The Federal Civil Defense Administration with respect to property for civil defense purposes.

(3) The Department of Defense with respect to property which has reached its end-purpose stage, and as such is a peculiarly military supply item or is manufactured or produced in accordance with special military specifications.

SEC. 7. *Review.* (a) The delegate agency shall review the necessity for requisition or condemnation with respect to the mobilization programs within its jurisdiction.

(b) If the delegate agency approves, it shall endorse the proposal and forward it to the Defense Production Administration. If the delegate agency does not approve the proposal, it shall notify the initiating agency in writing.

SEC. 8. *Determination of necessity.* (a) The Defense Production Administration shall review the recommendation of the delegate agency. If it approves the recommendation, it shall execute a determination of necessity for requisition or condemnation and authorize the initiating agency to requisition or condemn the property, or its use, for the United States.

(b) If the Defense Production Administration disapproves the recommendation, in whole or in part, the initiating and delegate agencies shall be notified in writing.

SEC. 9. *Requisition.* (a) Upon delegation of authority to requisition, the initiating agency shall prepare a requisition in prescribed form and shall cause it to be served upon the person in possession of the property. The property shall be taken and receipted for in the name of the United States and return made to the initating agency.

(b) Promptly after any property has been requisitioned, notice of such requisition shall, to the extent practicable, be given by the initiating agency in prescribed form to all persons known to have or to claim any interest in such property, and all such persons shall be directed to file their claims with that agency.

SEC. 10. *Condemnation.* (a) Upon delegation of authority to commence condemnation proceedings, the initiating agency shall file with the Department of Justice, in form satisfactory to that Department, an application for condemnation in accordance with the act of August 1, 1888, as amended (40 U. S. C. 257). On receipt of the application, the Department of Justice will commence condemnation proceedings, within 30 days, in the United States district court of the district wherein such real estate is located.

(b) In the event immediate possession of the real property is required, the initiating agency shall prepare for the Department of Justice a declaration of taking on a form prescribed by the Department of Justice in accordance with the provisions of the act of February 26, 1931 (40 U. S. C. 258a), the declaration of taking shall be filed with the district court, together with a sum of money estimated to be the value of the property, at such time after the condemnation petition is filed and before judgment as the initiating agency shall direct.

JUST COMPENSATION IN REQUISITION PROCEEDINGS

SEC. 11. *Preliminary determination.* As promptly as practicable after property has been requisitioned, the initiating agency shall make a preliminary determination of the fair and just compensation to be paid for such property. It shall, to the extent practicable, give notice of such determination to all persons known to have or to claim an interest in the property requisitioned. Within 30 days after such notice, any claimant may file written objections to such preliminary determination, specifying in reasonable detail the grounds for his objection. The preliminary determination may be modified on the basis of such objections.

SEC. 12. *Review.* In any case in which the initiating agency is in doubt as to the proper measure to be applied in determining fair and just compensation, or in any case in which there is a difference of opinion between that agency and any person known to have or to claim an interest in property requisitioned as to the proper measure to be applied in determining fair and just compensation, the initiating agency may, in its discretion, either before or after making the preliminary determination, designate a time and place for all persons known to have or to claim an interest in the property requisitioned to appear in support of their claims. Such appearance shall be before a board or official designated by the initiating agency for such purpose. Such board or official shall hear the claimants who appear and shall receive any evidence relevant to the inquiry. A stenographic transcript of the proceedings before such board or official and copies of all written evidence submitted shall be preserved. Following such inquiry, such board or official shall make a recommendation to the initiating agency as to the amount of compensation to be paid, and the initiating agency shall consider such recommendation, and thereafter may make or affirm, increase or decrease its preliminary determination.

SEC. 13. *Payment.* (a) When the initiating agency has determined just compensation and the claimant has presented satisfactory proof of title, the initiating agency shall make an award of compensation and shall pay to the person or persons entitled thereto the amount of such award or, if such person or persons are unwilling to accept such award as full compensation, shall pay 75 percent of the award in accordance with the provisions of section 201 of the Defense Production Act of 1950, as amended.

(b) If the initiating agency determines that compensation can not be safely paid to any claimant because of inadequate proof of title or for other reasons, the amount of the award of compensation shall be set aside and retained, or shall be charged to the proper appropriation until the person or persons entitled to receive payment shall be established.

DISPOSAL PROCEDURES

SEC. 14. *Initiation.* Whenever any agency in possession of property acquired by requisition or condemnation pursuant to this regulation finds that such property or its use is no longer needed by it for the defense of the United States, it shall transmit to the delegate agency in prescribed form a proposal for disposal of the property or for termination of its defense use.

SEC. 15. *Review.* (a) The delegate agency shall review the proposal to determine whether such property or its use is needed for the defense of the United States.

(b) If the delegate agency finds that such property or its use is not needed for the defense of the United States, it shall endorse its approval on the proposal and transmit it to the Defense Production Administration.

(c) If the delegate agency disapproves the proposal, in whole or in part, the agency which initiated the proposal shall be notified in writing.

SEC. 16. *Determination.* The Defense Production Administration shall review the recommendation of the delegate agency and, if it approves the recommendation, it shall execute a formal determination that the defense need for the property has terminated. If the Defense Production Administration disapproves the recommendation, in whole or in part, the initiating and delegate agencies shall be notified in writing.

SEC. 17. *Disposal.* Upon receipt of the determination, the initiating agency shall transmit a request in prescribed form to the Administrator of General

Services that the property be disposed of pursuant to the provisions of section 201 (c) or (d) of the Defense Production Act of 1950, as amended.

REPORTS

SEC. 18. *Reports to the Defense Production Administration.* Each agency delegated authority by the Defense Production Administration to requisition or condemn shall submit a report in reasonable detail to the Defense Production Administration within 15 days after the event with respect to any of the following actions taken by it pursuant to this regulation: (a) The acquisition of property by requisition or condemnation, (b) the determination or payment by it of compensation for property acquired by requisition, (c) the payment by it for property acquired by condemnation, and (d) the use by it of property acquired by requisition or condemnation.

NOTE: DPA Regulations 1 and 2 were originally issued as Parts 600 and 601 of Title 32A Chapter VI by the National Security Resources Board, and published at 15 F. R. 7265 and 15 F. R. 7978, respectively.

This regulation shall take effect upon publication in the FEDERAL REGISTER.

MANLY FLEISCHMANN,
Defense Production Administrator.

[F. R. Doc. 51-14753; Filed, Dec. 10, 1951; 11:07 a. m.]

Chapter VI—National Production Authority, Department of Commerce

[NPA Order M-91]

M-91—SELENIUM

This order is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this order there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations. However, consultation with representatives of all trades and industries affected in advance of the issuance of this order has been rendered impracticable due to the necessity for immediate action and because the order affects a large number of different trades and industries.

Sec.
1. What this order does.
2. Definitions.
3. Reports by selenium producers.
4. Reports by users of and dealers in selenium.
5. Restrictions on delivery and use.
6. Deliveries to and by dealers.
7. Deliveries of selenium under toll agreement.
8. Exceptions for persons who use 1 pound or less of selenium in any month.
9. Imports of selenium.
10. Inventory limitations.
11. Required conservation.
12. Records and reports.
13. Applications for adjustment or exception.
14. Communications.
15. Violations.

AUTHORITY: Sections 1 to 15 issued under sec. 704, 64 Stat. 816, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61; secs. 402, 405, E. O. 10281, Aug. 28, 1951, 16 F. R. 8789.

SECTION 1. *What this order does.* The purpose of this order is to conserve selenium and to provide for the distribution of the limited supply so as to allocate the amount of selenium available, insofar as practicable, to defense production; and to insure an equitable distribution of the remaining supply through normal channels. This order brings selenium, whether domestically produced or imported, under complete allocation. It prohibits, with minor exceptions, any deliveries or acceptance of deliveries not specifically authorized by NPA. It prohibits the use of selenium except for the purposes for which it has been specifically allocated. The order contains an exception from the prohibition of deliveries and acceptance of deliveries for persons who use 1 pound or less of selenium in a month and for deliveries of selenium recovered from scrap under toll agreements between users and producers.

SEC. 2. *Definitions.* As used in this order:

(a) "Person" means any individual, corporation, partnership, association, or any other organized group of persons, and includes any agency of the United States Government or any other government.

(b) "Producer" means any person who produces or reclaims selenium.

(c) "Dealer" means any person who procures selenium either by importation or from domestic sources for sale or resale without change in form, whether or not any such person receives title to or physical delivery of the material.

(d) "Selenium" means the element of that name, and includes selenium of all merchantable grades, as well as alloys and compounds of selenium and selenium scrap.

(e) "Selenium alloy" means the element selenium incorporated with any other metal or metals in which the weight of the element selenium makes up 20 percent or more of the total weight of the metals.

(f) "Selenium compound" means the element selenium in chemical combination with one or more other elements as prepared by a producer from electrolytic copper sludges.

(g) "Selenium scrap" means any used or waste material from which selenium is commercially recoverable.

(h) "NPA" means the National Production Authority.

SEC. 3. *Reports by selenium producers.* Every person who produces selenium shall report monthly by letter to NPA his inventory of selenium (by grade and type) at the beginning and end of the month; his production, sales, and shipments (by grade and type) during the month; and his anticipated production and receipts for the next month. Such letter shall be addressed to the National Production Authority, Washington 25, D. C., Ref: M-91, shall be signed by the person reporting or by a responsible individual who is duly authorized to sign for that purpose, and shall be mailed so as to reach NPA on or before the tenth day of the month following the month for which the report is submitted.

SEC. 4. *Reports by users of and dealers in selenium.* Each person who during a calendar month used more than 1 pound of selenium in the production, processing, or manufacture of any material or product, and each person, other than a producer, who during a calendar month had in his possession for sale or resale more than 1 pound of selenium, shall report to NPA on or before the tenth day of the month following the month for which the report is made on Form NPAF-146 his inventory, receipts, and use (if a user), or sales (if a dealer), of selenium for that month. Each such person shall furnish all of the information required by the form.

SEC. 5. *Restrictions on delivery and use.* (a) Except as provided in sections 6, 7, and 8 of this order, no person, on and after February 1, 1952, shall deliver or accept delivery of any selenium in any calendar month except in accordance with an NPA directive or an allocation authorization issued by NPA on Form NPAF-146: *Provided, however,* That a producer may purchase selenium scrap for conversion to a merchantable grade of selenium.

(b) No person shall deliver any selenium if he knows or has reason to believe that the person to whom the delivery is to be made may not accept delivery of that quantity of selenium, or that he will use the selenium in violation of the provisions of this order.

(c) Application for an allocation authorization must be filed with NPA on Form NPAF-146 by the purchaser not later than the tenth day of the month preceding the month for which the allocation is sought. If the application is granted, NPA will issue an allocation authorization to the applicant in the form of an endorsement by NPA on Form NPAF-146, and a copy will be furnished to the appropriate supplier. The copy returned to the applicant will show the amount of selenium by grade and type which he is authorized to use, and the use to which the allocated amount may be put. The supplier to whom the copy of the allocation authorization is furnished shall fill orders of the applicant within the limits of the allocation authorization.

(d) On and after February 1, 1952, no person shall use any selenium except in accordance with the provisions of an allocation authorization or an NPA directive.

SEC. 6. *Deliveries to and by dealers.* Notwithstanding the provisions of section 5 of this order, any person may deliver selenium to a regularly established dealer and such dealer may accept such delivery. A dealer may not deliver selenium to any other person, however, except as provided in sections 5 and 8 of this order.

SEC. 7. *Deliveries of selenium under toll agreement.* Notwithstanding the provisions of section 5 of this order, a user of selenium who, in his use of selenium, generates selenium scrap, resi-

dues, sludges, or other waste products, in which selenium is present in commercially recoverable quantities may deliver such scrap, residues, sludges, or other waste materials to a producer of selenium pursuant to a toll, conversion, or repurchase agreement, or other similar arrangement, and may receive back and use the selenium recovered therefrom without an additional allocation authorization.

SEC. 8. *Exceptions for persons who use 1 pound or less of selenium in any month.* Any person who uses 1 pound or less of contained selenium in any calendar month is exempt from the provisions of sections 4 and 5 of this order. Any such person must, at the time he places an order for selenium, furnish the supplier with a certificate reading substantially as follows:

Certified under the provisions of NPA Order M-91

Such certification shall be signed in accordance with the provisions of NPA Reg. 2, and shall constitute a representation to the supplier and to NPA that receipt of the delivery for which the certification is given will not bring his total receipts of selenium in the month above 1 pound gross weight of contained selenium.

SEC. 9. *Imports of selenium.* Nothing contained in this order shall prohibit the importation of any selenium: *Provided,* That after the importation and delivery of any selenium to or for the account of the importer, such material shall not be further delivered or used except in accordance with the provisions of this order.

SEC. 10. *Inventory limitations.* No person (notwithstanding any allocation made to him) shall place an order calling for delivery of selenium, and no person shall accept delivery of selenium, at a time when his inventory (including selenium in process) exceeds, or by acceptance of such delivery would be made to exceed, his minimum requirements for the next succeeding 30 calendar days at his then scheduled method and rate of operation, or a practicable minimum working inventory as defined in NPA Reg. 1, whichever is less. Any person who, on the effective date of this order or at any other time, has orders outstanding for selenium calling for delivery earlier or in quantities greater than he would be permitted to receive under this section, shall immediately notify his supplier of the extent to which deliveries may not be accepted as scheduled, and such orders shall be adjusted accordingly. Imported as well as domestically produced selenium, except where such imported selenium is imported for resale, is subject to this provision, and is to be included in computing inventory.

SEC. 11. *Required conservation.* No person shall use any selenium in the production, processing, manufacture, or assembly of any material or product when it is commercially feasible to substitute some other material or materials for selenium. No person shall use a greater quantity or higher grade of selenium in the production, processing, manufacture, or assembly of any material or product if it is commercially feasible to use a lesser quantity or a lower grade for that material or product, unless required to meet military specifications or standards.

SEC. 12. *Records and reports.* (a) Each person participating in any transaction covered by this order shall make and preserve, for at least 3 years thereafter, accurate and complete records of receipts, deliveries, inventories, production, and use, in sufficient detail to permit the determination, after audit, whether each transaction complies with the provisions of this order. This order does not specify any particular accounting method and does not require alteration of the system of records customarily used, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals by those persons who, at the time such microfilm or other photographic records are made, maintain such copies of records in the regular and usual course of business.

(b) All records required by this order shall be made available for inspection and audit by duly authorized representatives of the National Production Authority, at the usual place of business where maintained.

(c) Persons subject to this order shall make such records and submit such reports to NPA as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139–139F).

SEC. 13. *Applications for adjustment or exception.* Any person affected by any provision of this order may file a request for adjustment or exception upon the ground that such provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests for adjustment claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing, by letter in triplicate, shall set forth all pertinent facts and the nature of the relief sought, and shall state the justification therefor.

SEC. 14. *Communications.* All communications concerning this order shall be addressed to the National Production Authority, Washington 25, D. C., Ref: NPA Order M-91.

SEC. 15. *Violations.* Any person who wilfully violates any provision of this order, or any other order or regulation of NPA, or who wilfully furnishes false information or conceals any material fact in the course of operation under this order, is guilty of a crime and upon conviction may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall take effect December 10, 1951.

NATIONAL PRODUCTION AUTHORITY,
By JOHN B. OLVERSON,
Recording Secretary.

[F. R. Doc. 51-14752; Filed, Dec. 10, 1951; 11:07 a. m.]

Chapter XVIII—National Shipping Authority, Maritime Administration, Department of Commerce

[NSA Order No. 55 (AGE-5)]

AGE-5 DUTIES OF BERTH AGENTS AND GENERAL AGENTS

Sec.
1. What this order does.
2. Duties of Berth Agents.
3. Duties of General Agents.
4. Use of facilities in United States ports.

AUTHORITY: Sections 1 to 4 issued under sec. 204, 49 Stat. 1987, as amended; 46 U. S. C. 1114.

SECTION 1. *What this order does.* This order defines the duties of Berth Agents and General Agents in the conduct of business pertaining to vessels of the National Shipping Authority for the period of assignments of vessels under Berth Agency Agreement.

SEC. 2. *Duties of berth agents.* Unless otherwise directed by the National Shipping authority, the Berth Agent, pursuant to the terms of the Berth Agency Agreement for the period of assignment of each vessel thereunder, shall perform the following:

(a) *Conduct the business.* Conduct the business of the vessels including, but not limited to, all matters with respect to voyages, cargoes, mail, passengers, persons to be carried, charters, rates of freight and charges; and, subject to the provisions of section 4 of this order, procure or provide all services incident thereto including but not limited to stevedoring and other cargo handling, port activities, wharfage and dockage, pilotages, canal transits and services of sub-agents, brokers and consulates;

(b) *Shipping documents.* Issue or cause to be issued to passengers customary passenger tickets and to shippers customary shipping documents, freight contracts and bills of lading. All bills of lading shall be issued by the Berth Agent or its sub-agents as agent for the Master and the signature clause may provide substantially that the Berth Agent makes no warranty or representation as to the authority of the United States or the Master to enter in to the agreement, and that the Berth Agent assumes no liability with respect to the goods described therein or the transportation thereof;

(c) *Sub-agents.* Appoint sub-agents where necessary, to perform the duties of the Berth Agent set forth herein;

(d) *Entrance and clearance; foreign ports.* Arrange entrance and clearance of vessel at all foreign ports, except as provided in section 3 (a), including entrance at the first port of loading and clearance from last port of discharge;

(e) *Cargo claims.* Adjust, settle and pay cargo claims in accordance with such regulations as the National Shipping Authority may prescribe from time to time;

(f) *Special voyage requirements.* Notify the General Agent, in advance, of any requirements peculiar to the trade which relate to the duties of the General Agent, such as arrangements for dunnage, slings, fuel, fresh water, draft, etc., affecting the projected voyage in the service of the Berth Agent;

(g) *Deviations, casualties, etc.* Notify promptly the General Agent of all known deviations or intended deviations under the terms of the bill of lading or freight contract, and all known casualties, repairs or any other requirements which relate to the duties of the General Agent; and

(h) *Accounting.* Collect, deposit, remit, disburse and account to the National Shipping Authority for all monies due the United States arising in connection with activities under or pursuant to this order, and to the extent disbursements made by the Berth Agent pursuant to this order are recoverable from insurance, the Berth Agent shall take such steps as may be appropriate to effect such recovery for the account of the United States.

In every case where, in accordance with the provisions of section 3 (a) of this order, the sub-agent of a Berth Agent is used as the sub-agent of the General Agent, the Berth Agent is hereby authorized to reimburse the sub-agent out of National Shipping Authority funds for any services incurred for such vessel which are for account of the National Shipping Authority. In every case where, in accordance with section 3 (a) of this order, the Berth Agent of a vessel is appointed by a General Agent as sub-agent of the General Agent, the Berth Agent is authorized to make disbursements on behalf of the General Agent out of National Shipping Authority funds for any expenses incurred for such vessel which are for account of the NSA. The Berth Agent shall submit to the General Agent the invoices and other documents covering all husbanding expenses (meaning expenses for all services not expressly assigned herein to a Berth Agent) incurred pursuant to the provisions of the foregoing authority and shall collect from the General Agent the amounts of such expenses. In the event the General Agent has reason to question or disapprove the payment of any particular item of husbanding expense same shall be referred to the Berth Agent for adjustment. This provision is stipulated because of the General Agent's over-all responsibility for the husbanding of the vessel although it is the purpose of this order to permit the Berth Agent promptly to reimburse sub-agents for services rendered or to promptly make disbursements on behalf of the General Agent.

SEC. 3. *Duties of general agents.* Unless otherwise directed by the National Shipping Authority, the General Agent, pursuant to the terms of the General Agency Agreement for the period of assignment of each vessel to a Berth Agent shall perform the following:

(a) *Sub-agents.* Appoint sub-agents for services required by the vessel which relate to the duties of the General Agent and which are beyond those performed by the sub-agent appointed by the Berth Agent pursuant to section 2 of this order, such as repairs, restowage of cargo, matters involving General Average, etc. Insofar as practicable, in foreign ports, the sub-agent of the Berth Agent should be used by the General Agent;

(b) *Marine casualties, claims and deviations.* Attend to all matters in connection with marine casualties and resulting claims in accordance with instructions of the Chief, Division of Insurance, Office of Comptroller, Maritime Administration, Department of Commerce, and promptly notify the P & I Underwriters pursuant to policy requirements of known or intended deviations under the terms of the bill of lading or freight contract; and

(c) *General.* Perform all duties prescribed in the General Agency Agreement or by such directions, orders or regulations issued by the National Shipping Authority pursuant thereto which are not expressly herein imposed upon the Berth Agent.

SEC. 4. *Use of facilities in United States ports.* (a) Where the General Agent does not provide its own facilities in the United States port of loading or discharge, and when not otherwise directed or approved by the Coast Director of the National Shipping Authority in charge of the port where the services are to be performed, the Berth Agent shall for the account of the National Shipping Authority:

Receive and deliver the cargo, passengers and mail; provide and pay for stevedoring and other cargo handling expenses, port charges, wharfage and dockage, pilotage, commissions, and consular charges (except those pertaining to the master, officers and crew) and all other expenses in connection with the handling of the cargo, passengers and mail.

(b) Where the General Agent provides its own facilities in the United States port of loading or discharging, and when not otherwise directed or approved by the Coast Director of NSA in charge of the port where the services are to be performed, the General Agent shall for account of the National Shipping Authority perform the duties provided in paragraph (a) of this section, but the Berth Agent shall have the right to employ a Head Receiving or Delivery Clerk to supervise the operation of receiving and delivering cargo.

(c) Where the General Agent and the Berth Agent both provide their own facilities in the United States port of loading or discharge, the duties provided in paragraph (a) of this section shall be performed for the account of the National Shipping Authority as directed by the Coast Director of NSA in charge of the port where the services are to be performed.

Approved: December 5, 1951.

[SEAL] C. H. MCGUIRE,
Director,
National Shipping Authority.

[F. R. Doc. 51-14659; Filed, Dec. 10, 1951; 8:54 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 4—DEPENDENTS AND BENEFICIARIES CLAIMS

RIGHT OF ELECTION BETWEEN VETERANS' ADMINISTRATION BENEFITS

In § 4.52, the title and paragraph (a) are amended to read as follows:

§ 4.52 *Right of election between Veterans' Administration benefits* — (a) *General.* A person entitled to receive pension or compensation under more than one law administered by the Veterans' Administration on account of the death of the same person may elect to receive the benefit which is most advantageous. Any person who elects to receive pension or compensation under one of two or more laws, places the right under the other law or laws in suspense and may at any time cause the suspension to be lifted by making another election. However, the election by the widow settles the question as to which statute is applicable and her election controls not only her claim but those of the children as well. (See also § 3.302 of this chapter.)

* * * * *

(Sec. 5, 43 Stat. 608, as amended, sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9; 38 U. S. C. 11a, 426, 707)

This regulation effective December 11, 1951.

[SEAL] O. W. CLARK,
Deputy Administrator.

[F. R. Doc. 51-14639; Filed, Dec. 10, 1951; 8:53 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 10004]

PART 9—AERONAUTICAL SERVICES

RADIO BEACON STATIONS

In the matter of amendment of the provisions of Part 9 of the Commission's rules which govern aeronautical navigational aid radio stations. Docket No. 10004.

At the session of the Federal Communications Commission held in its offices in Washington, D. C., on the 28th day of November 1951;

The Commission having under consideration the above captioned matter which proposed to amend Part 9, the Commission's rules and regulations gov-

erning Aeronautical Services, in order to permit the operation of radio beacon stations in the 200–400 kc band without attendance of any person under certain limited conditions:

It appearing, that in accordance with the requirements of the Administrative Procedure Act, a Notice of Proposed Rule Making was duly published in the FEDERAL REGISTER (p. 7265), on July 24, 1951, which notice proposed the above amendment to the Commission's rules; and

It further appearing, that on August 10, 1951, a Further Notice of Proposed Rule Making was published in the FEDERAL REGISTER (p. 7879), making certain changes in the original proposal; and

It further appearing, that the period in which interested persons were afforded an opportunity to submit comments expired and all comments have been considered, including one comment which requested that § 9.513 (a) (6) of the proposal be changed so as to permit unattended operation when it is shown that "the location and/or the operational requirements of the facility" are such that it is impracticable to require the presence of an operator on duty; and

It further appearing, that the text of § 9.513 (a) (6) contained in the Commission's proposal which requires a showing that it is impracticable to require an operator because of "the location of the transmitter" offers a definite criterion for authorizing unattended operation and a change therein would therefore be undesirable; and

It further appearing, that the text of the amendment herein ordered conforms to that published in the Notice and Further Notice of Proposed Rule Making with the exception (1) of minor substantive changes in § 9.513 (a) (2) in order to permit an alternate method of monitoring by a means of a direct positive automatic monitor supplemented by aural monitoring, in § 9.513 (a) (3) in order to permit an authorized person to disable the transmitter if as a result of monitoring a deviation from the terms of the station license is determined to exist, and in § 9.513 (a) (4) in order to permit inspections of equipment every 60 days, and (2) certain editorial changes including the renumbering of the above and other sections; and

It further appearing, that because of the nature of the changes described in the preceding paragraph the proposed rule making procedure with respect thereto is unnecessary and not required; and

It further appearing, that this amendment relieves an existing restriction by permitting unattended operation of radio beacon stations and therefore may be made effective immediately; and

It further appearing, that the public interest, convenience and necessity will be served by this amendment, the authority for which is contained in sections 4 (i), 303 (a), (b), (c), (d), (e), (l) and (r), and 318 of the Communications Act of 1934, as amended;

It is ordered, That effective immediately, Part 9, the Commission's rules and regulations governing Aeronautical Services, is amended in accordance with the appendix set forth below.

(Sec. 4, 48 stat; 1066 as amended; 47 U. S. C. 154. Interprets or applies Sec. 303, 48 stat. 1082; 50 stat. 191; 47 U. S. C. 303)

Released: November 29, 1951.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

APPENDIX

1. Section 9.511 is amended by adding thereto the following:

(e) Radio beacon stations: 200–400 kc.

2. The following new section is added:

§ 9.513 *Unattended operation of domestic radio beacon stations.* (a) Authority may be granted to operate, during the course of normal rendition of service, radio beacon stations which are located within the U. S., its territories or possessions without attendance of any person, in those cases where an adequate showing has been made to the Commission with respect to all of the following seven conditions:

(1) The transmitter is crystal controlled and specifically designed for radio beacon service and capable of transmitting by self-actuating means;

(2) The emissions of the transmitter shall be continuously monitored by a licensed operator; or by means of a direct positive automatic monitor, supplemented by aural monitoring at suitable intervals;

(3) If as a result of aural monitoring, it is determined that a deviation from the terms of the station license has occurred, a properly authorized person will be dispatched immediately to the transmitter site and place the transmitter in an inoperative condition. If automatic monitoring is used, the monitor shall insure that the operation of the station is in accordance with the terms of the station license, or shall place the transmitter in an inoperative condition;

(4) The time, carefully estimated, required to dispatch a properly authorized person to the transmitter site and to place the transmitter in an inoperative condition;

(5) Inspection of the equipment shall be conducted at suitable intervals determined by the performance record of the equipment and maintenance experience, but in any event, an inspection shall be conducted at least every 60 days. A record of the results of and inspection shall be kept in the maintenance records of the station;

(6) The transmitter is so installed and protected that it is not accessible to, and may not be placed in operation by, other than duly authorized persons;

(7) The location of the transmitter is such that it is impracticable to require an operator to be on duty at the transmitter or other point at which the operation of the transmitter could be directly controlled.

(b) Authority for unattended operation shall be expressly stated in the station authorization before such operation may be commenced.

(c) In any case in which authority for unattended operation has been granted the Commission may at any time, for purposes of national defense, without the necessity of any hearing, cancel the authority or modify it in such a manner as to require the provision of adequate means to permit the station to be placed in an inoperative condition promptly whenever notice to that effect is given.

[F. R. Doc. 51-14595; Filed, Dec. 10, 1951; 8:45 a. m.]

PROPOSED RULE MAKING

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 2]

[Docket No. 10094]

FREQUENCY ALLOCATIONS IN TERRITORY OF HAWAII

NOTICE OF PROPOSED RULE-MAKING

In the matter of amendment of § 2.104 (a) of the rules and regulations with respect to the allocation of frequencies between 76–88 Mc. and 98–108 Mc. in the Territory of Hawaii.

1. Notice is hereby given of proposed rule-making in the above-entitled matter.

2. The Commission has before it a petition, filed June 8, 1951, by Mutual Telephone Company of Hawaii, requesting amendment of § 2.104 (a), Table of frequency allocations, Part 2—Frequency Allocations and Radio Treaty Matters; General Rules and Regulations, as follows:

Frequency band (megacycles)	Commission allocation	Petition seeks allocation for—
76–88, inclusive	Broadcasting: Television channels 5 and 6.	Fixed services; for common carrier fixed stations engaged in interisland communications service in Hawaii only.
98–108, inclusive	Broadcasting: FM broadcast channels 251–300, inclusive.	Do.

3. The petitioner is a corporation organized and existing under the laws of the Territory of Hawaii, engaged in the rendition of public communication service within that area. The petition shows that it provides (1) local exchange and intra-island toll service, operating more than 100,000 telephones in the main cities in the Territory; (2) transpacific communication service in conjunction with other communications common carriers; (3) coastal radiotelephone and coastal harbor service in conjunction with another communication common carrier; (4) mobile radiotelephone service in the city of Honolulu and the surrounding area; and (5) inter-island telephone and telegraph service between the islands which it serves, using radio channels exclusively. The petition is directed solely to the inter-island service using radio channels.

4. Petitioner asserts that an attempt to span certain of the very deep inter-island ocean channels by a submarine cable was made many years ago but the heavy surf pounding on the coral reefs which encircle most of the islands broke the cable soon after it was installed. Petitioner alleges that cable operation would unquestionably prove much more costly than radio in any attempt to meet expanding inter-island communications needs, and that there is no submarine cable which could carry the number of circuits which will be required. Petitioner points out that its present inter-island communications service is carried by radio exclusively and expresses its belief that radio operation is the only practical means for providing satisfactory, economical inter-island communications within the area.

5. Petitioner alleges, with respect to the growth of the use of its inter-island radio system, that the present inter-island traffic is approximately four times the average traffic during the period of World War II and from six to eleven times that of the pre-war period 1932–1940; that it now has no spare facilities available to meet anticipated demands; that it proposes to provide 43 channels in the immediate future, 82 channels before 1960, and 116 channels by approximately 1970, as contrasted to its present 35 channels which consist of 27 traffic and 8 teletype and dial channels; and that it has developed a definite program for such expansion. The petitioner has defined the term "channel" as here used to mean a voice-frequency 2-way circuit having an overall bandwidth of 4000 cycles including guard bands, and states that one channel may be used for carrying one voice circuit, or it may be subdivided to carry a total of 18 teletype circuits or 24 dialing circuits, or two channels may be combined to carry one sound circuit of broadcast quality.

6. Petitioner alleges that, although it was and is a pioneer in the furnishing of inter-island radiocommunication service and has been licensed to use radio frequencies since 1931, there are not frequencies now allocated for use by common carrier fixed stations which are sufficient and suitable for its inter-island circuits; that frequencies it is now licensed to use for such circuits are assigned upon a basis secondary to the other radio services to which the frequencies are regularly allocated and that such frequencies are insufficient in number and, in some respects, unsatisfactory for petitioner's present service demands, and subject petitioner's radio system to the continued hazard of having to shift frequencies, which requires constant redesigning and re-engineering of its present plant facilities; that currently increased and constantly increasing demands for inter-island service results in a progressive degradation of petitioner's service; and that, therefore, to improve its present service and provide for future needs will require revision of the present allocation of radio frequencies for the Territory of Hawaii.

7. The petition recognizes that frequencies allocated primarily for fixed service for use by common carrier fixed stations are available in the range above 3700 megacycles [1] and that those frequencies are now used by common carriers operating in continental United States. Petitioner alleges, however, that there are material differences between its operations on over-water paths among the Hawaiian Islands and the operations of continental common carriers using these frequencies; that on the mainland, frequencies in this band are employed to provide short over-land communication paths where ground reflections are a relatively minor consideration; that, "for transmission over long paths (80–100 miles) over sea water" [2], tests have disclosed that these frequencies are not satisfactory because of the wide variation in the signal level caused by fading; and that the frequencies presently allocated by the Commission for common carrier fixed service are not suitable for providing satisfactory inter-island communication service between the islands constituting the Territory of Hawaii. Petitioner further alleges that the most logical frequencies for inter-island use lie above 50 megacycles and below 460 megacycles, because of transmission characteristics [3] and that, of these, television Channels 5 and 6, 76–88 megacycles, and FM Channels 251–300, 98–108 megacycles, could best be allocated to the common carrier fixed service in the Territory of Hawaii; that, if this were done, there would remain available for television and FM sufficient channels for the needs of the Territory of Hawaii; and that the full and ultimate development of such services in the Territory of Hawaii would not be retarded or hindered thereby.

8. The frequencies now occupied by common carrier fixed stations were allocated as a result of an extensive hearing in 1944 and 1945, at which time a large majority of the witnesses testified in favor of the frequency ranges presently allocated. Likewise, the frequencies allocated to the various other classes of radio stations and radio services, including the broadcasting services, have been given careful and recent consideration during which the needs of the various services were considered at length and decisions reached upon the basis of the hearing record. In view of the importance of providing for an adequate communications system in the Territory of Hawaii, however, we are considering the factors which petitioner urges to show that, for the Territory of Hawaii, certain frequencies now allocated to the broadcast services should be reallocated to the fixed service for use by common carrier fixed stations engaged in inter-island communications service.

9. It is accordingly proposed to effect a reallocation of frequencies as requested by the petitioner by amending the provisions of § 2.104 (a) of the Commission's rules, adding the following footnote to the bands 76–88 Mc. and 98–108 Mc.:

NG28 In the Territory of Hawaii, the frequency bands 76–88 Mc. and 98–108 Mc. are allocated exclusively to the fixed service for use by common carrier fixed stations for inter-island communications only.

Coincidentally, appropriate changes, consistent with the foregoing, will be effected in Part 3 of the Commission's rules with respect to the availability of frequencies for assignment to FM and TV broadcasting stations in Hawaii.

10. Any interested party who is of the opinion that such amendment of the Commission's rules and regulations should not be adopted, or should not be adopted in the form set forth herein, may file with the Commission, on or before January 11, 1952, a written statement or brief setting forth his comments. At the same time, any person who favors the proposal may file a statement in support thereof. Replies to any comments may be filed within 20 days thereafter. The Commission will consider all such comments before taking final action in the matter, and, if any comments are received which appear to warrant further proceedings, notice of the time and place thereof will be given such interested parties.

11. The petition herein shall be accepted as a comment on the instant proposal.

12. In accordance with the provisions of § 1.764 of Part 1 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs, or comments filed, shall be furnished the Commission.

[1] Frequency bands above 3700 Mc. allocated to the Fixed service for use by common carrier fixed stations are: 3700–4200 Mc.; 5925–6425 Mc.; and 10700–11700 Mc.

[2] The maximum distance between adjacent islands in the Hawaiian group with which petitioner communicates is 72 miles between Oahu and Kauai. Other separations between islands with which petitioner communicates range from 9 miles between the adjacent channels of Lanai and Maui to 250 miles between the non-adjacent islands of Hawaii and Kauai. Transmission distances contemplated by petitioner are based upon existing transmitter locations and range from 42 miles to 92 miles.

[3] Petitioner alleges that the transmission characteristics of frequencies in the 30–50 Mc. range are such that its use thereof has, from time to time, caused interference to stations in continental United States as well as in the islands and that such continuing condition must be avoided in future operations, and further, with respect to higher frequencies, that it has tested frequencies in the 2000 Mc. and 460 Mc. ranges with results which show variations in signal level in excess of acceptable commercial standards over water paths of 60 or more miles.

13. The proposed amendments are issued pursuant to the provisions of section 303 of the Communications Act of 1934, as amended.

Adopted: November 28, 1951.

Released: November 29, 1951.

FEDERAL COMMUNICATIONS COMMISSION,[4]
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-14611; Filed, Dec. 10, 1951; 8:48 a. m.]

[47 CFR Part 25]

[Docket No. 10090]

PREPARATION AND FILING OF ANNUAL PATENT REPORTS

NOTICE OF PROPOSED RULE MAKING

In the matter of promulgation of rules governing the preparation and filing of Annual Patent Reports.

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. The Commission proposes to issue the rule set forth in the Appendix below this notice to be designated as § 25.1. The proposed rule requires each person who owns one or more unexpired United States patents, or has the right to license others under one or more such patents owned by others, which are being used for rendering telephone, telegraph, cable or radiotelephone carrier service to the public, or being used for safety and special services, or for rendering radio broadcast service to the public; and said person renders, a part of, or all of, the service or services for which said patents are being used, or controls, or is controlled by, the person who renders a part of, or all of, said service or services, or, is under direct or indirect common control with the person or persons rendering a part of, or all of, the service or services for which said patents are being used, to prepare and file, in duplicate, with the Commission on or before the 31st day of March of each year, verified under oath (or affirmed according to law) and covering the period of 12 months ending on the 31st day of December next prior to said date, certain information as to the use and licensing of said patents.

3. The proposed rule is issued under the authority of section 4 (i) 218, 303 (e), 303 (g), 311, 313 and 602 (d) of the Communications Act of 1934, as amended. The tables filed pursuant to subparagraph (1) of the proposed § 25.1 will be made available for inspection by the public. All data and records required by the proposed § 25.1 will be available to Federal agencies upon request.

4. Any interested party who is of the opinion that the proposed rule should not be adopted, or should not be adopted in the manner set forth in the Appendix hereto, may file with the Commission on or before January 5, 1952, a statement or brief setting forth his comments. At the same time persons favoring the rule as proposed may file statements in support thereof. The Commission will consider all such comments that are presented before taking action in the matter, and if any comments are submitted which appear to warrant the holding of a hearing or oral argument, notice of the time and place of such hearing or oral argument will be given.

5. In accordance with the provisions of § 1.764 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs, or comments filed shall be furnished the Commission.

Adopted: November 23, 1951.

Released: November 29, 1951

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

APPENDIX

§ 25.1 *Persons owning or having sublicense rights under patents being used for rendering one or more electrical communication services within the provisions of the Communications Act of 1934, as amended, if rendering, or if connected directly or indirectly with a person rendering such service or services, required to file.* (a) Each person who owns one or more unexpired United States patents, or has the right to license one or more such patents which are owned by others, i. e., the right to sublicense, which are being used for rendering Telephone, Telegraph, Cable or Radiotelephone carrier service to the public, or are being used for rendering safety or special services, or for rendering radio broadcast service to the public; and said person renders, a part of, or all of, the service or services for which said patents are being used, or controls, or is controlled by, the person who renders a part of, or all of, said service or services for which said patents are being used, shall prepare and file, in duplicate, with the Commission on or before the 31st day of March of each year, verified under oath (or affirmed according to law) and covering the period of 12 months ending on the 31st day of December next prior to said date the following:

(1) A table listing numerically the patents within paragraph (a) of this section, namely the unexpired U. S. patents the person reporting owns or has the right to sublicense which are being used for one or more services regulated by the Commission and said table showing as to each patent listed, the rights of the person reporting, i. e., ownership or sublicense rights, the United States Patent Office classification and subclassification numbers, the filing and expiration dates, and the particular service or services for which said patent is being used.

(2) A table listing the names and addresses of all persons, who hold licenses through the person reporting, under one or more of the patients reported under subparagraph (1) of this paragraph by said person, and showing as to each such license, the patents licensed, the particular service or services for which devices or equipment can be manufactured and used or sold under said patents by the licensee, and the commencement and termination dates of the license.

(3) Agreements involving one or more of the patents reported under subparagraph (1) of this paragraph, of which the person reporting is a party, including agreements with persons in foreign countries. Where a standard form of license-agreement is used, only sample copies are required.[1]

(4) A statement setting forth the patent licensing policy of the person reporting respecting the patents said person lists under subparagraph (1) of this paragraph.

[F. R. Doc. 51-14610; Filed, Dec. 10, 1951; 8:47 a. m.]

NOTICES

DEPARTMENT OF COMMERCE

Federal Maritime Board

AMERICAN-HAWAIIAN STEAMSHIP CO. ET AL.

NOTICE OF AGREEMENT FILED WITH THE BOARD FOR APPROVAL

Notice is hereby given that the following described agreement has been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916, as amended.

Agreement No. 5870-4, between the American-Hawaiian Steamship Company and the member lines of the Atlantic and Gulf-Straits Settlements, Malay States and Siam Conference, provides that so long as Lancashire Shipping Company Ltd. is a member of said conference and American-Hawaiian Steamship Company remains its General Agents at New York, American-Hawaiian Steamship Company will be bound by and observe the rates, rules and regulations prescribed by the conference, on all vessels owned, operated or chartered by it in the trade covered by the conference and will be permitted to participate in conference contracts with shippers.

Interested parties may inspect this agreement and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may sub-

[4] Commissioner Jones dissenting.

[1] Copies of agreements previously filed with the Commission by any person coming within the provisions of this rule, may by reference, be made a part of an annual report being filed. Also, for the purpose of avoiding duplication in reports filed with the Commission under subparagraphs (1), (2), and (3) of this paragraph, patent owners may enter into agreements with their licensees, or with the person or persons who hold the right to sublicense the patents, as to who shall file the reports, provided copies of the agreements are made a part of the reports filed pursuant thereto.

mit, within 20 days after publication of this notice in the FEDERAL REGISTER written statements with reference to this agreement and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: December 6, 1951.

By order of the Federal Maritime Board.

[SEAL] A. J. WILLIAMS, *Secretary.*

[F. R. Doc. 51-14658; Filed, Dec. 10, 1951; 8:53 a. m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

SALE OF MINERAL INTERESTS; REVISED AREA DESIGNATION

Schedule A, entitled Fair Market Value Areas, and Schedule B, entitled One Dollar Areas, accompanying the Secretary's order dated June 26, 1951 (16 F. R. 6318), are amended as follows:

In Schedule A, under "Mississippi", in alphabetical order, add the county "Pontotoc", and under "Minnesota", in alphabetical order, add the county "Carlton".

In Schedule B, under "Mississippi", delete the county "Pontotoc", and under "Minnesota", delete the county "Carlton".

(Sec. 3, Public Law 760, 81st Cong.)

Done at Washington, D. C., this 5th day of December 1951.

[SEAL] K. T. HUTCHINSON, *Acting Secretary of Agriculture.*

[F. R. Doc. 51-14619; Filed, Dec. 10, 1951; 8:49 a. m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-1668, G-1828, G-1831]

SOUTHERN UNION GAS CO. ET AL.

NOTICE OF CONTINUANCE OF HEARING

DECEMBER 5, 1951.

In the matters of Southern Union Gas Company, Docket No. G-1668; El Paso Natural Gas Company, Docket No. G-1828; West Texas Gas Company, Docket No. G-1831.

Upon consideration of the request, filed December 3, 1951, by Counsel for West Texas Gas Company, for the postponement of the hearing now scheduled for December 12, 1951, in the above-designated matters;

Notice is hereby given that the hearing in the above-designated matters be and it is hereby continued to January 16, 1952, at 10:00 a. m., in the Commission Hearing Room, at 1800 Pennsylvania Avenue NW., Washington, D. C.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 51-14638; Filed, Dec. 10, 1951; 8:52 a. m.]

[Docket No. G-1795]

CITIES SERVICE GAS CO.

ORDER FIXING DATE OF HEARING

DECEMBER 4, 1951.

On September 17, 1951, Cities Service Gas Company (Cities Service), a Delaware corporation having its principal place of business at Oklahoma City, Oklahoma, filed an application, as supplemented October 29, 1951, (1) for authority, pursuant to section 7 (b) of the Natural Gas Act, to abandon its Dilworth Compressor Station, located in the NE¼ of Section 31, Township 29 North, Range 1 East, Kay County, Oklahoma, and (2) for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act to construct and operate a natural-gas compressor station, and related facilities, to be located in the SE¼ Section 34, Township 6 South, Range 8 West, Mitchell County, Kansas.

Cities Service proposes to construct the facilities for which authorization is herein sought to increase the capacity of its Superior system line, and thereby enable it to meet an increased demand thereon.

Cities Service proposes to secure virtually all materials and equipment necessary to construct the facility contemplated in its application by reclamation from its existing Dilworth Compressor Station: authority for the abandonment of which is herein sought.

Cities Service made application for authority to abandon its Dilworth station in the alternative, requesting that the Commission find that said station is not a facility for which approval of abandonment is required.

Cities Service has requested that this application be heard under the shortened procedure provided for by § 1.32 (b) of the Commission's rules of practice and procedure, no request to be heard or protest has been filed subsequent to giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on October 2, 1951 (16 F. R. 10044).

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32) of the Commission's rules of practice and procedure.

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a hearing be held on December 17, 1951, at 9:45 a. m., e. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however,* That the Commission may, after a noncontested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rule of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: December 5, 1951.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 51-14636; Filed, Dec. 10, 1951; 8:52 a. m.]

[Docket No. G-1820]

EL PASO NATURAL GAS CO.

ORDER FIXING DATE OF HEARING

On October 18, 1951, El Paso Natural Gas Company (Applicant), a Delaware corporation having its principal place of business at El Paso, Texas, filed an application for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of certain natural gas facilities and the sale of natural gas, subject to the jurisdiction of the Commission, as described in the application on file with the Commission and open to public inspection.

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure, Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for noncontested proceedings, and no request to be heard, protest or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on November 3, 1951 (16 F. R. 11248).

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a hearing be held on December 19, 1951, at 9:45 a. m., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however,* That the Commission may, after a noncontested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: December 5, 1951.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 51-14637; Filed, Dec. 10, 1951; 8:52 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Cuban Notification List No. 4]

CUBA

CHANGES IN ASSIGNMENTS OF BROADCAST STATIONS

OCTOBER 15, 1951.

Notification of changes in assignments of broadcasting stations.

Call letters	Location	Power	Antenna	Schedule	Class
New	Cardenas, Matanzas	1440 kilocycles, 0.5	ND	U	III

Will operate provisionally with 0.25 kw. It is expected that the probable date to commence operation will be March 1952.

[SEAL]

FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-14596; Filed, Dec. 10, 1951; 8:45 a. m.]

[Canadian Change List No. 65]

CANADIAN BROADCAST STATIONS

LIST OF CHANGES, PROPOSED CHANGES, AND CORRECTIONS IN ASSIGNMENTS

NOVEMBER 1, 1951.

Notification under the provisions of part III, section 2, of the North American Regional Broadcasting Agreement.

List of changes, proposed changes, and corrections in assignments of Canadian Broadcast Stations Modifying Appendix containing assignments of Canadian Broadcast Stations (Mimeograph 47214-3) attached to the recommendations of the North American Regional Broadcasting Agreement Engineering Meeting, January 30, 1941.

CANADA

Call letters	Location	Power (kw)	Radiation	Time designation	Class	Probable date to commence operation
New	London, Ontario	1,110 kilocycles, 1	DA-1	U	II	Oct. 1, 1952
New	Moncton, New Brunswick	1,300 kilocycles, 5	DA-1	U	II	Aug. 15, 1952

[SEAL]

FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-14597; Filed, Dec. 10, 1951; 8:45 a. m.]

[Canadian Change List No. 66]

CANADIAN BROADCAST STATIONS

LIST OF CHANGES, PROPOSED CHANGES AND CORRECTIONS IN ASSIGNMENTS

NOVEMBER 10, 1951.

Notification under the provisions of part III, section 2, of the North American Regional Broadcasting Agreement.

List of changes, proposed changes, and corrections in assignments of Canadian Broadcast Stations Modifying Appendix containing assignments of Canadian Broadcast Stations (Mimeograph 47214-3) attached to the recommendations of the North American Regional Broadcasting Agreement Engineering Meeting, January 30, 1941.

CANADA

Call letters	Location	Power (kw)	Radiation	Time designation	Class	Probable date to commence operation
New	Windsor, Ontario	550 kilocycles, 1N/5D	DA-1	U	II	Nov. 1, 1952.
CJON	St. John's, Newfoundland	930 kilocycles, 5	DA-N	U	II	Now in operation.
New	Vancouver, British Columbia.	1070 kilocycles, 1N/5D	DA-N	U	II	Nov. 15, 1952.
CFDA	Victoriaville, Quebec	1380 kilocycles, 1D	ND	U	II	Temporary operation.

[SEAL]

FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-14598; Filed, Dec. 10, 1951; 8:46 a. m.]

[Canadian Change List No. 67]

CANADIAN BROADCAST STATIONS

LIST OF CHANGES, PROPOSED CHANGES, AND CORRECTIONS IN ASSIGNMENTS

NOVEMBER 16, 1951.

Notification under the provisions of part III, section 2, of the North American Regional Broadcasting Agreement.

List of changes, proposed changes, and corrections in assignments of Canadian Broadcast Stations Modifying Appendix containing assignments of Canadian Broadcast Stations (Mimeograph 47214-3) attached to the recommendations of the North American Regional Broadcasting Agreement Engineering Meeting, January 30, 1941.

CANADA

Call letters	Location	Power (kw.)	Radiation	Time designation	Class	Probable date to commence operation
New	Vancouver, British Columbia.	690 kilocycles, 10	DA-1	U	II	Jan. 15, 1952.
CKFI	Fort Frances, Ontario	800 kilocycles, 0.5N/1D	ND	U	II	Now in operation.
CHWK	Chilliwack, British Columbia.	1,230 kilocycles, 0.25	ND	U	IV	Delete—vide 127.
CHWK	Chilliwack, British Columbia.	1,270 kilocycles, 1	DA-1	U	III	Now in operation.
CKFI	Fort Frances, Ontario	1,340 kilocycles, 0.25	ND	U	IV	Delete—vide 800.

[SEAL]

FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-14599; Filed, Dec. 10, 1951; 8:46 a. m.]

[Mexican Change List No. 137]

MEXICAN BROADCAST STATIONS

LIST OF CHANGES, PROPOSED CHANGES AND CORRECTIONS IN ASSIGNMENTS

NOVEMBER 7, 1951.

Notification under the provisions of part III, section 2, of the North American Regional Broadcasting Agreement.

List of changes, proposed changes, and corrections in assignments of Mexican Broadcast Stations Modifying Appendix containing assignments of Mexican Broadcast Stations (Mimeograph 47214-6) attached to the recommendations of the North American Regional Broadcasting Agreement Engineering Meeting, January 30, 1941.

MEXICO

Call letters	Location	Power	Schedule	Class	Probable date to commence operation
XEON	Tuxtla Gutierrez, Chiapas	920 kilocycles (delete assignment)			
XEBY	Tuxpan, Veracruz	1340 kilocycles, 250 w	U	IV	Feb. 20, 1952
XEFX	Poza Rica, Veracruz	1480 kilocycles, 5 kw-DA-N (delete assignment).			
XEGD	H. del Parral, Chihuahua	1520 kilocycles, 250 w-N/1 kw-D	U	IV	Apr. 1, 1952

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-14600; Filed, Dec. 10, 1951; 8:46 a. m.]

[Docket No. 10067]

LEONARD M. MILLER

ORDER SCHEDULING HEARING

At a session of the Federal Communications Commission, held at its offices at Washington, D. C., on the 28th day of November 1951;

The Commission having under consideration its Order of October 3, 1951 designating for hearing the application of Leonard M. Miller, R. D. #3 Leberman Avenue, Meadville, Pennsylvania for renewal of a radiotelephone first-class operator license;

It is ordered, Upon the Commission's own motion, that the hearing in the above-entitled matter be held on January 16, 1952, at Erie, Pennsylvania.

Released: November 30, 1951.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-14601; Filed, Dec. 10, 1951; 8:46 a. m.]

[Docket Nos. 9804, 9805]

TRIBUNE PUBLISHING CO. AND BREMERTON BROADCASTING CO. (KBRO)

ORDER CONTINUING HEARING

In re applications of Tribune Publishing Company, Tacoma, Washington, Docket No. 9804, File No. BP-7703; Bruce Bartley, tr/as Bremerton Broadcast Company (KBRO), Bremerton, Washington, Docket No. 9805, File No. BP-7794; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 29th day of November 1951;

The Commission having under consideration the oral argument now scheduled in the above proceeding for December 7, 1951; and

It appearing, that upon consideration of the Commission's schedule for December 1951, it would be conducive to the orderly dispatch of the Commission's business and in the public interest to continue said oral argument to December 11, 1951;

Accordingly, it is ordered, On the Commission's own motion, that oral argument in the above-entitled proceeding, now scheduled for December 7, 1951, is continued until Tuesday, December 11, 1951, commencing at 10:00 a. m.

Released: November 30, 1951.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-14602; Filed, Dec. 10, 1951; 8:46 a. m.]

[Docket Nos. 8691, 8692, 9382]

FORT INDUSTRY CO. (WJBK) ET AL.

ORDER CONTINUING HEARING

In re applications of The Fort Industry Company (WJBK), Detroit, Michigan, Docket No. 8691, File No. BP-6235; James Gerity, Jr. (WABJ), Adrian, Michigan, Docket No. 8692, File No. BP-6251; The Marion Broadcasting Company (WMRN), Marion, Ohio, Docket No. 9382, File No. BP-7023; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 29th day of November 1951;

The Commission having under consideration the oral argument now scheduled in the above proceeding for December 7, 1951; and

It appearing, that upon consideration of the Commission's schedule for December 1951, it would be conducive to the orderly dispatch of the Commission's business and in the public interest to continue said oral argument to December 11, 1951;

Accordingly, it is ordered, On the Commission's own motion, that oral argument in the above-entitled proceeding, now scheduled for December 7, 1951, is continued until Tuesday, December 11, 1951, commencing at 11:00 a. m.

Released: November 30, 1951.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-14603; Filed, Dec. 10, 1951; 8:46 a. m.]

[Docket No. 9941]

HARMCO, INC. (KROY)

ORDER CONTINUING HEARING

In re Application of Harmco, Inc. (KROY), Sacramento, California, Docket No. 9941, File No. BP-7918; for construction permit.

The Commission having under consideration a petition filed November 20, 1951, by the above named applicant requesting a continuance for 90 days of the hearing now scheduled to begin December 7, 1951; and

It appearing, that one of the issues to be developed at the hearing is to determine whether the operation of Station KROY as proposed would cause objectionable interference to Station KWG, Stockton, California, that the applicant is now and for some time past has been negotiating for another proposed transmitter site, which if obtained would change and reduce the interference to Station KWG; and

It further appearing, that the applicant has been informed by the National Production Authority that the necessary structural steel for the proposed 500 foot radiator is presently unavailable for the proposed operation; and

Good cause for the requested continuance having been shown, the petition for continuance having been on file for more than 4 days and no opposition to the granting thereof having been filed;

It is ordered, This the 30th day of November 1951, that the above mentioned petition for continuance be and it is hereby granted, and the hearing is continued from December 7, 1951, to March 11, 1952, beginning at 10:00 a. m. in the offices of the Commission in Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-14607; Filed, Dec. 10, 1951; 8:47 a. m.]

[Docket No. 9967]

PEOPLES BROADCASTING CORP. (WOL)

ORDER CONTINUING HEARING

In re application of Peoples Broadcasting Corporation (WOL), Washington, D. C., Docket No. 9967, File No. BR-1130; for renewal of License of Synchronous Amplifier located in Silver Spring, Maryland.

The Commission having under consideration a petition filed November 23, 1951 by Peoples Broadcasting Corporation (WOL), Washington, D. C., for a 90-day continuance of the hearing now scheduled in Washington, D. C. on December 10, 1951;

It appearing, that the applicant has perfding before the Commission an application (Docket No. 10007; File No. BP-7873), requesting a construction permit to operate on 1060 kc with 5 kw power, from a new transmitter site and employing a directional antenna; that this ap-

plication for construction permit has been designated for hearing upon issues relating largely to the coverage which would be provided by the proposal to the city of Washington and the Washington metropolitan area; that said hearing is presently scheduled to begin on January 8, 1952, and in view of the issues therein, the applicant has undertaken steps to find another site from which better coverage could be provided to the city of Washington and the Washington metropolitan area than from the site proposed now; that a preliminary investigation has disclosed an area from which these objectives might be achieved, if land is available therein; that if an appropriate transmitter site is available, it may be possible to amend the application for construction permit and to request removal of the same from hearing and for a grant without hearing; that if this application for construction permit is granted, the instant proceeding involving the renewal of license of the synchronous amplifier would be rendered moot since there would be no need for such an amplifier for operation with 5 kw power; and, accordingly, it would appear logical that the determination of this renewal proceeding should come after that of the application for a construction permit; that the steps necessary to the proceeding on the application for a construction permit cannot be completed before December 10, 1951, the date the hearing herein is now scheduled to begin; and

It further appearing, that there are no other parties to this proceeding and Commission counsel has waived the provisions of § 1.745 of the Commission's rules so as to permit immediate consideration of this petition and has consented to a grant thereof; and that the reasons stated in the petition constitute good cause for a grant of said petition;

It is ordered, This 27th day of November 1951, That the petition for continuance of Peoples Broadcasting Corporation (WOL), is granted; and the hearing on the above-entitled matter is continued to 10 o'clock A. M., Monday, March 10, 1952, in Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-14606; Filed, Dec. 10, 1951; 8:47 a. m.]

[Docket No. 10072]

CLASS B FM BROADCAST STATIONS

AMENDING REVISED TENTATIVE FM ALLOCATION PLAN

In the matter of amendment of the Revised Tentative Allocation Plan for Class B FM Broadcast Stations, Docket No. 10072.

At a session of the Federal Communications Commission held in its offices in Washington, D. C., on the 29th day of November 1951;

The Commission having under consideration a proposal to amend its Revised Tentative Allocation Plan for Class B FM Broadcast Stations; and

It appearing, that Notice of Proposed Rule-Making (FCC 51-1013) setting forth the above amendment was issued by the Commission on October 10, 1951, and was duly published in the FEDERAL REGISTER (16 F. R. 10708), which notice provided that interested parties might file statements or briefs with respect to the said amendment on or before November 20, 1951; and

It further appearing, that no comments were received either favoring or opposing the adoption of the proposed reallocation;

It further appearing, that the immediate adoption of the proposed reallocations would facilitate consideration of a pending application for a new Class B FM station at Olney, Illinois;

It is ordered, That, effective January 7, 1952, the Revised Tentative Allocation Plan for Class B FM Broadcast Stations is amended as follows:

	Channels	
	Delete	Add
Olney, Ill.	----------	225
Tuscola, Ill.	225	234
Harrisburg, Ill.	225	236
Indianapolis, Ind.	234	--------
St. Louis, Mo.	236	--------

Released: December 3, 1951.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-14604; Filed, Dec. 10, 1951; 8:46 a. m.]

[Docket Nos. 10080, 10081]

SPRINGHILL BROADCASTING CO., INC., AND RESORT BROADCASTING CO., INC.

ORDER CONTINUING HEARING

In re applications of Springhill Broadcasting Company, Inc., Springhill, Louisiana, Docket No. 10080, File No. BP-8160; Resort Broadcasting Company, Inc., Hot Springs, Arkansas, Docket No. 10081, File No. BP-8246; for construction permits.

The Commission having under consideration a petition filed November 19, 1951, by Resort Broadcasting Company, Inc., Hot Springs, Arkansas, requesting a continuance of the hearing presently scheduled for December 11, 1951, in Washington, D. C., in the proceeding upon the above-entitled applications for construction permits; and

It appearing, that no opposition to the granting of the instant petition has been filed with the Commission;

It is ordered, This 30th day of November 1951, that the petition is granted; and that the hearing in the above-entitled proceeding is continued to 10:00 a. m., Wednesday, January 16, 1952, in Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-14608; Filed,, Dec. 10, 1951; 8:47 a. m.]

[Docket No. 10025]

QUEEN CITY BROADCASTING CO. (KIRO)

ORDER CONTINUING HEARING

In re application of Queen City Broadcasting Company (KIRO), Seattle, Washington, Docket No. 10025, File No. BP-7831; for construction permit.

The Commission having under consideration a petition filed November 14, 1951, by Queen City Broadcasting Company (KIRO), Seattle, Washington, requesting a 90 days continuance of the hearing presently scheduled for December 12, 1951, in Washington, D. C., in the proceeding upon its above-entitled application for construction permit; and

It appearing, that no opposition to the granting of the instant petition has been filed with the Commission;

It is ordered, This 26th day of November 1951, that the petition is granted; and that the hearing in the above-entitled proceeding is continued to 10:00 a. m., Wednesday, March 12, 1952, in Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-14605; Filed, Dec. 10, 1951; 8:47 a. m.]

[Docket Nos. 10075, 10076]

PIXLEYS, INC., AND AIR TRAILS, INC.

ORDER CONTINUING HEARING

In re applications of Pixley's, Inc. (Assignor), Lloyd A. Pixley, Martha P. Pixley, and Grace M. Pixley, as Individuals (Assignees), Docket No. 10075, File Nos. BAL-1244, BALH-76; for assignment of license of stations WCOL and WCOL-FM, Columbus, Ohio, and Lloyd A. Pixley, Martha P. Pixley, and Grace M. Pixley, as Individuals (Assignors), Air Trails, Inc. (Assignee), Docket No. 10076, File Nos. BAL-1245, BALH-77; for assignment of license of stations WCOL and WCOL-FM, Columbus, Ohio.

The Commission having under consideration a joint petition filed November 27, 1951, by Pixleys, Inc., Lloyd A. Pixley, Martha P. Pixley and Grace M. Pixley and Air Trails, Inc., requesting a 30-day continuance of the hearing presently scheduled for December 6, 1951, in Washington, D. C., in the proceeding upon the above-entitled applications;

It is ordered, This 30th day of November 1951, that the petition is granted; and that the hearing in the above-entitled proceeding is continued to 10:00 a. m., Thursday, January 10, 1952, in Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-14609; Filed, Dec. 10, 1951; 8:47 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2743]

JERSEY CENTRAL POWER & LIGHT CO.

ORDER PERMITTING ISSUANCE OF SHORT-TERM NOTES

DECEMBER 5, 1951.

Jersey Central Power & Light Company ("the Company"), a subsidiary of General Public Utilities Corporation, a registered holding company, having filed a declaration and amendments thereto pursuant to sections 6 and 7 of the Public Utility Holding Company Act of 1935 ("the act"), with respect to the following proposed transactions:

The Company proposes to issue and sell, or renew, from time to time not later than November 1, 1952, short-term notes to Irving Trust Company in aggregate principal amount outstanding at any time not exceeding $3,100,000, bearing interest at the prime rate, which is presently 2¾ percent per annum but in no event in excess of 3¼ percent per annum, and maturing not more than nine months (exclusive of days of grace) after the issue or renewal thereof. Said notes will be secured by the pledge of the Company's rights under an agreement for the sale of its gas properties and by the further agreement that, until such secured notes shall be paid or provision made for their payment, the Company will preserve net bondable capacity sufficient to enable it to issue $3,100,000 principal amount of additional first mortgage bonds.

In addition to the secured short-term notes referred to above, the Company also proposes to issue and sell, or renew, unsecured notes in aggregate principal amount outstanding at any time not exceeding $3,400,000 (being the amount now outstanding), bearing interest at the prime rate but in no event in excess of 3¼ percent per annum, and maturing not more than nine months (exclusive of days of grace) after the issue or renewal thereof. Such notes will not be part of a public offering.

The total amount of the short-term borrowings herein proposed exceeds the 5 percent limitation for borrowing without authorization of the Commission, as provided in section 6 (b) of the act. Such total amount also exceeds the 10 percent limitation on unsecured indebtedness without prior consent of the holders of a majority of the outstanding preferred stock, as provided in the Company's Certificate of Incorporation; hence the proposal to issue secured short-term notes to cover such excess.

The Company states that its cash working funds have been reduced below a satisfactory level by reason of substantial construction expenditures out of its working funds; that the proceeds from the issue and sale, or renewal, of the short-term notes herein proposed will be used for new construction or to repay notes whose proceeds were so used, or to reimburse the Company's treasury for expenditures therefrom for new construction.

The Company further states that it has had protracted negotiations, now in prospect of early consummation, for the sale of its gas properties; that the net proceeds of such sale are expected to be approximately $15,000,000, which proceeds will be deposited with the Indenture Trustee under the Mortgage covering the Company's physical properties. The Company represents that as at October 31, 1951, the net bondable additions of the Company were sufficient to enable it to issue in excess of $6,000,000 principal amount of additional first mortgage bonds pursuant to the terms of said Mortgage; and it convenants and agrees that of such net bondable capacity it will preserve a sufficient amount to enable it to issue $3,100,000 principal amount of additional first mortgage bonds, or to draw down cash in like amount from the proceeds of the sale of its gas properties, for the satisfaction of the secured short-term notes proposed herein.

The Company contemplates that if sale of the gas properties should not be concluded within a reasonable time, it will issue and sell additional bonds and preferred stock, utilizing the proceeds to pay said short-term notes.

The Company further states that there are no expenses in connection with the proposed transactions except legal fees and disbursements estimated to aggregate $1,275.

Company counsel certify that no further approval of any public agency is legally required.

It is requested that the Commission's order herein become effective upon its issuance.

Due notice having been given of the filing of the declaration, and a hearing not having been requested of or ordered by the Commission; and the Commission finding that the applicable provisions of the act and the rules promulgated thereunder are satisfied and that no adverse findings are necessary, and deeming it appropriate in the public interest and in the interest of investors and consumers that said declaration as amended be permitted to become effective forthwith;

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said declaration as amended be, and the same hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-14624; Filed, Dec. 10, 1951; 8:49 a. m.]

[File No. 71-16]

MISSISSIPPI GAS CO.

ORDER APPROVING DISPOSITION OF ADJUSTMENTS RELATING TO GAS PLANT

DECEMBER 5, 1951.

Mississippi Gas Company ("Mississippi"), a gas utility subsidiary of Southern Natural Gas Company ("Southern"), a registered holding company, having filed studies, and amendments thereto, pursuant to the Public Utility Holding Company Act of 1935, particularly sections 15 and 20 (b) thereof and Rule U-27 thereunder, relative to the original cost and reclassification of its gas plant accounts as at December 31, 1949, including proposals for the disposition of adjustments relating to gas plant, which proposals are summarized as follows:

On October 31, 1950, Mississippi filed original cost and reclassification studies for its gas plant in accordance with Plant Instruction 2-D of the Uniform System of Accounts recommended by the National Association of Railroad and Utilities Commissioners for gas companies (which system of accounts has been made applicable by this Commission's Rule U-27). In said studies Mississippi represented that a credit of $250,059.00 had been reclassified to Account 100.5, Gas Plant Acquisition Adjustments and $196,186.68 had been charged to Account 107, Gas Plant Adjustments.

The staff of the Commission made a field examination and filed its report in connection therewith, copies of which report were duly served upon the company. Mississippi has amended its studies to give effect to the recommendations contained in the staff's report and now proposes to classify a credit of $127,643.65 in Account 100.5, Gas Plant Acquisition Adjustments and a debit amount of $86,653.93 in Account 107, Gas Plant Adjustments, in substitution for the amounts as originally submitted.

Mississippi proposes to eliminate the credit of $127,643.65 as reclassified to Account 100.5 by transferring such credit amount to Account 258.2, Miscellaneous Reserves (Reserve for Plant Adjustments), and to eliminate the debit amount of $86,653.93 as reclassified to Account 107 by a charge of a like amount to Account 258.2, Miscellaneous Reserves. The balance of $40,989.72 thereafter remaining in said Account 258.2 will be eliminated by crediting such amount to Account 271, Earned Surplus.

Pursuant to an Order of this Commission, dated September 14, 1945, Mississippi appropriated $250,059.00 from Account 271, Earned Surplus to provide for the elimination of Plant Adjustments (Account 107) which represented the then estimated amount thereof. (Holding Company Act Release No. 6052.) As a result of our final audit it has been determined that the prior appropriation in 1945 was $40,989.72 in excess of the amount required in order to eliminate all final known adjustment accounts, and accordingly it is deemed appropriate that the balance of $40,989.72 in Account 258.2, as shown above, be transferred to Account 271, from which it originated.

Notice of filing of such studies, and amendments thereto, having been duly given and the Commission not having received a request for hearing with respect to said matters within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

It appearing to the Commission that the proposals for the disposition of the amounts established in Account 100.5 and Account 107, in the manner described above, are consistent with the requirements of Rule U-27 of the general

rules and regulations promulgated under the act:

It is ordered, That:

(A) Mississippi record the proposed entries on its books in order to eliminate the balances in Accounts 100.5 and 107 which were remaining on its books at December 31, 1949;

(B) Mississippi submit certified copies of the entries required by paragraph (A) within sixty days from the date of this order.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-14625; Filed, Dec. 10, 1951; 8:49 a. m.]

[File No. 70-2757]

BROCKTON EDISON CO.

NOTICE REGARDING ISSUANCE OF PROMISSORY NOTES

DECEMBER 5, 1951.

Notice is hereby given that Brockton Edison Company ("Brockton"), a subsidiary company of Eastern Utilities Associates, a registered holding company, has filed a declaration pursuant to the Public Utility Holding Company Act of 1935 and has designated section 7 of said act as being applicable to the proposed transactions which are summarized as follows:

Brockton expects to have outstanding on December 31, 1951, $1,000,000 face amount of unsecured short-term promissory notes maturing on said date and evidencing borrowings from The First National Bank of Boston ("First National"). Brockton proposes to issue to the First National, under a new loan agreement, unsecured promissory notes up to an aggregate maximum face amount of $1,500,000. Each of said notes will mature not later than one year less one day after the date of issue of the initial note, but in no event later than December 30, 1952, and will bear interest at the prime interest rate (presently 2¾ percent) existing on its issue date. The company will not consummate any loan at an interest rate in excess of 3 percent except after an amendment to the declaration stating such interest rate shall have become effective. If such amendment is filed after the declaration has become effective, the company will request therein that the amendment be permitted to become effective five days after filing without further order of the Commission unless the Commission shall have notified the Company to the contrary. Pursuant to the new loan agreement, First National is not obligated to lend in excess of $600,000 unless one or more other banks shall then participate or shall have participated at least to the extent of such excess. First National has informed Brockton that it has received a firm participation from The Chase National Bank of the City of New York to the extent of $900,000. The proposed notes will be prepayable any time without premium.

The proceeds from the proposed notes will be used by Brockton to pay off its outstanding promissory notes, to purchase additional shares of common stock of its subsidiary, Montaup Electric Company, and to provide funds for the 1952 construction program.

The declaration indicates that the proposed notes will be retired by the financing proposed in the Amended Reorganization Plan No. 2 of Eastern Utilities Associates and its subsidiary companies, which plan, dated July 30, 1951, has been filed with this Commission in File No. 54-188.

The declaration states that the total expenses in connection with the proposed issuance of said notes, including counsel fees of not more than $700, are estimated to aggregate not more than $800. The declaration further states that no State commission or Federal commission, other than this Commission, has jurisdiction over the proposed issuance of said notes.

Brockton requests that the Commission's order herein become effective forthwith upon issuance.

Notice is further given that any interested person may, not later than December 19, 1951, at 5:30 p. m., e. s. t., request in writing, that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by such declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after December 19, 1951, said declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-14626; Filed, Dec. 10, 1951; 8:50 a. m.]

[File No. 70-2755]

FALL RIVER ELECTRIC LIGHT CO.

NOTICE REGARDING ISSUANCE OF PROMISSORY NOTES

DECEMBER 5, 1951.

Notice is hereby given that Fall River Electric Light Company ("Fall River"), a subsidiary company of Eastern Utilities Associates, a registered holding company, has filed a declaration pursuant to the Public Utility Holding Company Act of 1935 and has designated section 7 of said act as being applicable to the proposed transactions which are summarized as follows:

Fall River expects to have outstanding on December 31, 1951, $650,000 face amount of unsecured short-term promissory notes maturing on said date and evidencing borrowings from The First National Bank of Boston ("First National"). Fall River proposes to issue to the First National, under a new loan agreement, unsecured promissory notes up to an aggregate maximum face amount of $1,000,000. Each of said notes will mature not later than one year less one day after the date of issue of the initial note, but in no event later than December 30, 1952, and will bear interest at the prime interest rate (presently 2¾ percent) existing on its issue date. The company will not consummate any loan at an interest rate in excess of 3 percent except after an amendment to the declaration, stating such interest rate, shall have become effective. If such amendment is filed after the declaration has become effective, the company will request therein that the amendment be permitted to become effective five days after filing without further order of the Commission unless the Commission shall have notified the Company to the contrary. Pursuant to the new loan agreement, First National is not obligated to lend in excess of $400,000 unless one or more other banks shall then participate or shall have participated at least to the extent of such excess. First National has informed Fall River that it has received a firm participation from The Chase National Bank of the City of New York to the extent of $600,000. The proposed notes will be prepayable any time without premium.

The proceeds from the proposed notes will be used by Fall River to pay off its outstanding promissory notes, to purchase addtional shares of common stock of its subsidiary, Montaup Electric Company, and to provide funds for the 1952 construction program.

The declaration indicates that the proposed notes will be retired by the financing proposed in the Amended Reorganization Plan No. 2 of Eastern Utilities Associates and its subsidiary companies, which plan, dated July 30, 1951, has been filed with this Commission in File No. 54-188.

The declaration states that the total expenses in connection with the proposed issuance of said notes, including counsel fees of not more than $700, are estimated to aggregate not more than $800. The declaration further states that no State commission or Federal commission, other than this Commission, has jurisdiction over the proposed issuance of said notes.

Fall River requests that the Commission's order herein become effective forthwith upon issuance.

Notice is further given that any interested person may, not later than December 19, 1951, at 5:30 p. m., e. s. t., request in writing, that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by such declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after December 19, 1951, said declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act or the

Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-14627; Filed, Dec. 10, 1951; 8:50 a. m.]

[File No. 70-2750]

UNITED CORP.

NOTICE OF FILING AND NOTICE OF AND ORDER FOR HEARING WITH RESPECT TO PROPOSED ACQUISITION BY REGISTERED HOLDING COMPANY OF SECURITIES

DECEMBER 5, 1951.

Notice is hereby given that The United Corporation ("United"), a registered holding company, has filed an application pursuant to section 9 (c) (3) of the Public Utility Holding Company Act of 1935 ("act") regarding certain proposed transactions, which are summarized as follows:

By order dated June 26, 1951, the Commission approved a plan filed pursuant to section 11 (e) of the act by United which was proposed as a means of effecting compliance with section 11 (b) of the act and with the order of the Commission dated August 14, 1943, directing United, among other things, to cease to be a holding company. Pursuant to the terms of the plan and the Commission's order approving such plan, United is required, among other things, within twelve months after the effective date of the order, to reduce its holdings of voting stock of Niagara Mohawk Power Corporation, The Columbia Gas System, Inc., and The United Gas Improvement Company, to amounts equal to not more than 4.9 percent of such stocks, and to sell its entire holding of the common stock of South Jersey Gas Company.

It is presently proposed by United that cash funds derived by it from such sales shall be reinvested in other securities, provided, however, that in no case shall United acquire in excess of 4.9 percent of the outstanding voting securities of a "public utility company" or a "holding company", as those terms are defined by the act. Such investments are proposed to be made in the amounts, and in the types of securities that United's Board of Directors from time to time, shall determine.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers, that a hearing be held with respect to said application, and that said application shall not be granted except pursuant to further order of the Commission:

It is ordered, That a hearing on said application pursuant to the applicable provisions of the act and the rules thereunder be held on December 17, 1951 at 10:00 a. m., e. s. t., at the offices of the Commission, 425 Second Street NW., Washington 25, D. C. On such date the hearing room clerk in Room 193 will advise as to the room in which such hearing will be held. Any persons desiring to be heard or otherwise wishing to participate in this proceeding shall file with the Secretary of the Commission on or before December 13, 1951, a request relative thereto as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That Richard Townsend or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer or officers so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a hearing officer under the Commission's rules of practice.

The Division of Public Utilities having advised the Commission that it has made a preliminary examination of the application and that upon the basis thereof the following matters and questions are presented for consideration, without prejudice to its specifying additional matters and questions upon further examination: (1) Whether the securities to be acquired, or any of them, are appropriate in the ordinary course of business of United and not detrimental to the public interest or the interest of investors or consumers. (2) Whether in the event the application shall be granted, in whole or in part, it is necessary or appropriate to impose any terms or conditions to assure compliance with the applicable standards of the act or in the public interest or for the protection of investors or consumers, and if so, what such terms or conditions shall be.

It is further ordered, That particular attention be directed at said hearing to the foregoing matters and questions.

It is further ordered, That the Secretary of the Commission shall serve a copy of this order by registered mail on the applicant herein, and that notice of said hearing shall be given to all other persons by general release of the Commission which shall be distributed to the press and mailed to the mailing list for releases issued under the act and by publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-14628; Filed, Dec. 10, 1951; 8:50 a. m.]

[File No. 70-2741]

SOUTH JERSEY GAS CO.

ORDER AUTHORIZING ISSUANCE AND SALE OF PROMISSORY NOTES TO BANKS

DECEMBER 5, 1951.

South Jersey Gas Company ("South Jersey"), a public utility subsidiary of The United Corporation, a registered holding company, having filed a declaration, and an amendment thereto, pursuant to section 7 of the Public Utility Holding Company Act of 1935 ("act") with respect to the following proposed transactions:

Pursuant to the terms of a Loan Agreement, dated November 1, 1951, between South Jersey and the banks indicated below, South Jersey proposes to issue to said banks notes maturing twelve months from the date of issuance in an aggregegate principal amount of $3,900,000, the proceeds of which are to be applied by South Jersey as follows: (1) To the payment of $3,338,000 principal amount of Initial Loan Notes, due December 19, 1951, outstanding under a Credit Agreement dated November 17, 1950; (2) to the payment of $400,000 principal amount of Revolving Credit Notes, due December 18, 1951, oustanding under the Credit Agreement dated November 17, 1950; and (3) the balance of $162,000 to construction and other corporate purposes. The notes to be issued will bear interest at the rate of ¼ of 1 percent over the prime commercial rate of interest of The Chase National Bank of the City of New York for unsecured loans in effect at the date of the making of the loans which prime rate is now 2¾ percent. The loan agreement further provides that the interest rate on the notes to be issued shall be not less than 2¾ percent per annum. The loans will be made by and the notes will be issued to the following banks in the principal amounts indicated:

The Chase National Bank of the City of New York	$2,483,000
The Philadelphia National Bank	1,200,000
Boardwalk National Bank	123,000
Guarantee Bank & Trust Co	94,000

It is requested that the Commission's order herein become effective upon its issuance.

The Board of Public Utility Commissioners of the State of New Jersey having entered its order dated November 28, 1951, authorizing the proposed issuance and sale of said notes; and

Due notice having been given of the filing of the declaration, and a hearing not having been requested of or ordered by the Commission; and the Commission finding that the applicable provisions of the act and rules promulgated thereunder are satisfied and that no adverse findings are necessary, and deeming it appropriate in the public interest and the interest of investors and consumers that said declaration, as amended, be permitted to become effective forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said declaration, as amended, be, and it hereby is, permitted to become effective, subject to the terms and conditions prescribed in Rule U-24, and that this order shall become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-14629; Filed, Dec. 10, 1951; 8:50 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Region IV, Redelegation of Authority No. 1]

DIRECTORS OF DISTRICT OFFICES, REGION IV

REDELEGATION OF AUTHORITY TO AUTHORIZE MARKUPS IN EXCESS OF APPENDIX E OF CPR 7; TO PERMIT PRICING METHODS FOR SETS (GROUPS OF ARTICLES) TO WHICH SERVICES HAVE BEEN ADDED AND FOR REPAIRED OR RECONDITIONED ARTICLES; AND TO REDUCE APPENDIX E MARKUPS UNDER CPR 7

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. IV, pursuant to Delegation of Authority No. 5 (16 F. R. 3672) and Amendment No. 1 thereto (16 F. R. 11128), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region IV, to authorize, by order, in accordance with section 39 (b) (3) of Ceiling Price Regulation 7, markups higher than those listed in Appendix E of that regulation.

2. Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region IV, to permit, by order, in accordance with section 39 (c) (2) of Ceiling Price Regulation 7, sellers to add to the total net costs of the constituent articles of assembled sets (groups of articles) to which services have been added, the cost of the services provided and a markup in line with the level of prices established by that regulation.

3. Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region IV, to permit, by order, in accordance with section 39 (d) of Ceiling Price Regulation 7, sellers to add to the ceiling price established under that regulation the actual net cost of reconditioning or repairing the articles to be sold.

4. Authority is hereby redelegated to the District Directors of the Office of Price Stabilization, Region IV, to reduce, by order, in accordance with section 39 (a) (3) of Ceiling Price Regulation 7, markups of sellers using Appendix E markups to bring their markups into line with markups for sellers of the same class.

This redelegation of authority is effective as of December 10, 1951.

W. F. BAILEY,
Director of Regional Office IV.

DECEMBER 7, 1951.

[F. R. Doc. 51-14730; Filed, Dec. 7, 1951; 4:53 p. m.]

[Region IV, Redelegation of Authority No. 2]

DIRECTORS OF DISTRICT OFFICES, REGION IV

REDELGATION OF AUTHORITY TO ACT ON APPLICATIONS PERTAINING TO CERTAIN FOOD AND RESTAURANT COMMODITIES

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. IV, pursuant to Delegation of Authority No. 8 (16 F. R. 5659), and Amendment No. 1 thereto (16 F. R. 6640), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region IV, to act on all applications for price action and adjustment under the provisions of sections 15 (c), 26a, 28a, and 28b of CPR 14; sections 21a, 26, 26a, 27, and 30 (b) of CPR 15; and sections 22 (b), 24, 24a, and 26b of CPR 16.

This redelegation of authority is effective as of December 10, 1951.

W. F. BAILEY,
Director of Regional Office IV.

DECEMBER 7, 1951.

[F. R. Doc. 51-14731; Filed, Dec. 7, 1951; 4:54 p. m.]

[Region IV, Redelegation of Authority No. 3]

DIRECTORS OF DISTRICT OFFICES, REGION IV

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS PERTAINING TO CERTAIN FOOD AND RESTAURANT COMMODITIES

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. IV, pursuant to Delegation of Authority No. 13 (16 F. R. 6806) this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region IV, to act on all applications for price action and adjustment under the provisions of section 13 of CPR 11, as amended.

This redelegation of authority is effective as of December 10, 1951.

W. F. BAILEY,
Director of Regional Office IV.

DECEMBER 7, 1951.

[F. R. Doc. 51-14732; Filed, Dec. 7, 1951; 4:54 p. m.]

[Region IV, Redelegation of Authority No. 4]

DIRECTORS OF DISTRICT OFFICES, REGION IV

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS FOR ADJUSTMENT OF PRICES RELATING TO ICE

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. IV, pursuant to Delegation of Authority No. 14 (16 F. R. 7431) this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region IV, to act on all applications for adjustment under the provisions of sections 1-6, inclusive, of GCPR, SR 45, as amended.

This redelegation of authority is effective as of December 10, 1951.

W. F. BAILEY,
Director of Regional Office IV.

DECEMBER 7, 1951.

[F. R. Doc. 51-14733; Filed, Dec. 7, 1951; 4:54 p. m.]

[Region IV, Redelegation of Authority No. 5]

DIRECTORS OF DISTRICT OFFICES, REGION IV

REDELEGATION OF AUTHORITY TO PROCESS INITIAL REPORTS FILED BY CERTAIN RESTAURANT OPERATORS UNDER CPR 11

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. IV, pursuant to Delegation of Authority No. 17 (16 F. R. 8158) this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region IV, to process the initial reports filed under section 6 of CPR 11 and to revise food cost per dollar of sale ratio referred to in section 4 thereof.

This redelegation of authority is effective as of December 10, 1951.

W. F. BAILEY,
Director of Regional Office IV.

DECEMBER 7, 1951.

[F. R. Doc. 51-14734; Filed, Dec. 7, 1951; 4:54 p. m.]

[Region IV, Redelegation of Authority No. 6]

DIRECTORS OF DISTRICT OFFICES, REGION IV

REDELEGATION OF AUTHORITY TO PROCESS REPORTS OF PROPOSED CEILING PRICES FOR SALES AT RETAIL BY RESELLERS PURSUANT TO SECTION 5 OF CPR 67

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. IV, pursuant to Delegation of Authority No. 22 (16 F. R. 10010) this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region IV, to approve, pursuant to section 5, CPR 67, a ceiling price for sales at retail proposed by a reseller under CPR 67, disapprove such a proposed ceiling price, establish a different ceiling price by order, or request further information concerning such a ceiling price.

This redelegation of authority is effective as of December 10, 1951.

W. F. BAILEY,
Director of Regional Office IV.

DECEMBER 7, 1951.

[F. R. Doc. 51-14735; Filed, Dec. 7, 1951; 4:54 p. m.]

[Region IV, Redelegation of Authority No. 7]

DIRECTORS OF DISTRICT OFFICES, REGION IV

REDELEGATION OF AUTHORITY TO ACT ON PRICING AND REPORTS—CPR 34

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. IV, pursuant to Delegation of Authority No. 28 (16 F. R. 11703) this redelegation of authority is hereby issued.

1. Authority under section 3 (b) of Ceiling Price Regulation 34, as amended.

Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region IV, to accept the reports correcting purely arithmetical errors under the provisions of section 3 (b) of Ceiling Price Regulation 34, as amended.

2. Authority to act under sections 6, 7, and 8 of Ceiling Price Regulation 34, as amended. Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region IV, to accept reports, establish, approve or disapprove ceiling prices or to require further information under the provisions of sections 6, 7, and 8 of Ceiling Price Regulation 34, as amended.

3. Authority to act under section 9 of Ceiling Price Regulation 34, as amended. Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region IV, to disapprove or to revise proposed or established ceiling prices under the provisions of section 9 of Ceiling Price Regulation 34, as amended.

4. Authority to act under sections 18 (b) and 18 (c) of Ceiling Price Regulation 34, as amended. Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region IV, to require further information or to disapprove of statements filed under the provisions of sections 18 (b) and 18 (c) of Ceiling Price Regulation 34, as amended.

5. Authority to act under section 19 (b) of Ceiling Price Regulation 34, as amended. Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region IV, to establish ceiling prices under section 19 (b) of Ceiling Price Regulation 34, as amended.

This redelegation of authority is effective as of December 10, 1951.

W. F. BAILEY,
Director of Regional Office IV.

DECEMBER 7, 1951.

[F. R. Doc. 51-14736; Filed, Dec. 7, 1951; 4:54 p. m.]

[Ceiling Price Regulation 83, Section 2, Special Order 3]

STUDEBAKER CORP.

BASIC PRICES AND CHARGES FOR NEW PASSENGER AUTOMOBILES

Statement of considerations. A schedule of prices and charges for sellers of new passenger automobiles manufactured by the Studebaker Corporation is established by this Special Order pursuant to section 2 of Ceiling Price Regulation 83. This section provides that the Director will establish the basic prices for new automobiles for sellers at retail and wholesale, and also establish the charges for extra, special and optional equipment for these automobiles that are sold by the manufacturer.

Special provisions. For the reasons set forth in the Statement of Considerations and pursuant to section 2 of Ceiling Price Regulation 83, this Special Order is hereby issued.

1. The basic prices, as defined in Ceiling Price Regulation 83, section 2, which retail and wholesale sellers will use in determining the ceiling prices of automobiles manufactured by the Studebaker Corporation, for the several body styles in each line or series, are as follows:

Champion Custom:	
4-door Sedan	$1,521.87
2-door Sedan	1,490.72
5-Passenger Coupe	1,516.68
3-Passenger Coupe	1,423.18
Champion DeLuxe:	
4-door Sedan	1,599.24
2-door Sedan	1,568.09
5-Passenger Coupe	1,594.06
3-Passenger Coupe	1,500.59
Champion Regal:	
4-door Sedan	1,677.13
2-door Sedan	1,645.98
5-Passenger Coupe	1,671.95
3-Passenger Coupe	1,578.48
Convertible	1,978.29
Commander Regal:	
4-door Sedan	1,857.06
2-door Sedan	1,824.58
5-Passenger Sedan	1,851.65
Commander State:	
4-door Sedan	1,959.94
2-door Sedan	1,927.45
5-Passenger Coupe	1,954.52
Convertible	2,273.96
Commander Land Cruiser:	
4-door Sedan	2,095.29

2. The charges for factory installed extra, special or optional equipment which wholesalers and retail sellers will use in determining the ceiling prices of automobiles manufactured by the Studebaker Corporation, for the several body styles in each line or series, are as follows:

Air cleaner, wet type (Champion)	$6.06
Air cleaner, wet type (Commander)	6.32
Antenna, internally controlled (all lines and series)	10.54
Antenna, manual (all lines and series)	6.58
Automatic transmission (all lines and series)	190.00
Back up light, single, No. AC 2178 (all lines and series)	7.46
Back up lights, pair, No. AC 2179 (all lines and series)	11.08
Back up light, single, No. AC 2134 (all lines and series)	7.97
Back up light, double, No. AC 2135 (all lines and series)	12.60
Cigar lighter (all lines and series)	3.09
Climatizer, fresh air heat, ventilating and defrosting system (all lines and series)	62.74
Clock, electric, No. AC 2122 (all lines and series)	17.23
Clock, electric, No. AC 2128 (all lines and series)	17.25
Door safety lock, No. AC 1822 (all lines and series)	6.12
Early cut-in generator (Champion)	15.17
Electric windshield wiper (Champion)	8.09
Exhaust extension (all lines and series)	2.95
Five-blade fan (Champion)	2.03
Foam rubber seat, per seat (all lines and series)	11.12
Fog lights, pair (all lines and series)	14.50
Fram F 3 oil filter (all lines and series)	13.19
Fram F 4 oil filter (all lines and series)	15.43
Fram 44 oil filter (all lines and series)	15.43
Hill holder (Champion)	12.64
Mirror, outside, Nos. AC 1400 and AC 1853 (all lines and series)	4.12
Overdrive (Champion)	87.97
Overdrive (Commander)	98.03
Radio, 8 tube, automatic (all lines and series)	84.39
Radio, 6 tube, Manual (all lines and series)	61.89
Rings, wheel trim, each (all lines and series)	2.40
Seat covers, DeLuxtex, Nos. AC 2140, AC 2141 and AC 2142 (Land Cruiser)	$28.70
Seat covers, DeLuxtex, Nos. AC 2143, AC 2144, AC 2145, AC 2146, AC 2147, AC 2148, AC 2149, AC 2150 and AC 2151 (all Sedans and 5-Passenger Coupes)	26.54
Seat covers, DeLuxtex, Nos. AC 2152, AC 2153 and AC 2154 (3-Passenger Coupe only)	15.68
Seat covers, plastic, Nos. AC 2155, 2156 and AC 2157 (Land Cruiser)	43.98
Seat covers, plastic, Nos. AC 2158, AC 2159, AC 2160, AC 2161, AC 2162, AC 2163, AC 2164, AC 2165, and AC 2166 (all Sedans and 5-Passenger Coupes)	40.89
Seat covers, plastic, Nos. AC 2167, AC 2168 and AC 2169 (3-Passenger Coupes)	23.81
Rings, wheel trim, each	2.40
Shock absorbers, heavy duty, front (Champion)	1.31
Shock absorbers, heavy duty, rear (Champion)	1.31
Shock absorbers, heavy duty, front (Commander)	1.36
Shock absorbers, heavy duty, rear (Commander)	1.36
Signals, directional (all lines and series)	17.23
Springs, heavy duty, front (Champion)	1.31
Springs, heavy duty, rear (Champion except 3-Passenger Coupes)	2.43
Springs, heavy duty, rear (Champion 3-Passenger Coupes)	3.34
Springs, heavy duty, front (Commander)	1.36
Springs, heavy duty, rear (Commander)	2.53
Spot light (all lines and series)	20.06
Upholstery, leather trim (Champion Sedans and 5-Passenger Coupes)	94.04
Upholstery, leather trim (Champion Convertibles)	25.27
Upholstery, leather trim (Champion 3-Passenger Coupes)	54.60
Upholstery, leather trim, pleated (Champion Sedans and 5-Passenger Coupes)	124.36
Upholstery, leather trim (Commander Sedans and 5-Passenger Coupes)	100.13
Upholstery, leather trim (Commander Convertibles)	26.35
Upholstery, leather trim (Commander Sedans and 5-Passenger Coupes)	129.64
Wheel covers, chrome, set of 4 (all lines and series)	13.89
Windshield Washer (all lines and series)	7.66

3. The prices and charges established by this Special Order do not include any Federal excise tax and handling charges. Sellers covered by this order will apply such charges to their prices and charges in accordance with section 2 of Ceiling Price Regulation 83.

4. All provisions of Ceiling Price Regulation 83 not inconsistent with this order, including the posting, invoicing, and record-keeping requirements of that regulation, remain in effect as to sales covered by this order.

5. This Special Order or any provision thereof may be revoked, suspended or amended by the Director of Price Stabilization at any time.

Effective date. This Special Order shall become effective December 12, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 10, 1951.

[F. R. Doc. 51-14746; Filed, Dec. 10, 1951; 11:03 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26617]

SCRAP IRON FROM POINTS IN SOUTHERN TERRITORY TO LIMA AND MARION, OHIO

APPLICATION FOR RELIEF

DECEMBER 6, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 950.

Commodities involved: Scrap iron or steel, carloads.

From: Points in southern territory.

To: Lima and Marion, Ohio.

Grounds for relief: Circuitous routes, to maintain grouping, and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 950, Supp. 162.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-14630; Filed, Dec. 10, 1951; 8:50 a. m.]

[4th Sec. Application 26618]

SCRAP IRON FROM PENSACOLA, FLA., TO BIRMINGHAM, ALA., GROUP

APPLICATION FOR RELIEF

DECEMBER 6, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for The Alabama Great Southern Railroad Company and other carriers.

Commodities involved: Scrap iron or steel, carloads.

From: Pensacola, Fla.

To: Birmingham, Ala., and points grouped therewith.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 950, Supp. 162.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-14631; Filed, Dec. 10, 1951; 8:50 a. m.]

[4th Sec. Application 26619]

COMMODITY RATES BETWEEN FAIRLESS, PA., AND POINTS IN THE UNITED STATES AND CANADA

APPLICATION FOR RELIEF

DECEMBER 6, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: C. W. Boin, Agent, for carriers parties to Agent W. S. Flint's Consolidated Freight Classification, I. C. C. No. O. C. 64.

Commodities involved: All commodities.

Between: Fairless, Pa., and points in the United States and Canada.

Grounds for relief: Competition with rail carriers, circuitous routes, and new station.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-14632; Filed, Dec. 10, 1951; 8:51 a. m.]

[4th Sec. Application 26620]

CRUDE RUBBER FROM TEXAS AND LOUISIANA TO POINTS IN CENTRAL, TRUNK-LINE AND NEW ENGLAND TERRITORIES

APPLICATION FOR RELIEF

DECEMBER 6, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to his tariffs I. C. C. Nos. 3906 and 3967.

Commodities involved: Rubber, crude, viz: artificial, synthetic or neoprene, carloads.

From: Baytown, Borger, Houston, and Port Neches, Tex., Lake Charles and West Lake Charles, La.

To: Points in central, trunk-line and New England territories.

Grounds for relief: Rail competition, circuity, grouping, and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: F. C. Kratzmeir's tariff I. C. C. No. 3967, Supp. 55; F. C. Kratzmeir's tariff I. C. C. No. 3906, Supp. 84.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. C. Doc. 51-14633; Filed, Dec. 10, 1951; 8:51 a. m.]